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4 SELECT COMMITTEE TO INVESTIGATE THE  
5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,  
6 U.S. HOUSE OF REPRESENTATIVES,  
7 WASHINGTON, D.C.

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11 INTERVIEW OF: KEVIN ZAMBRANO

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15 Wednesday, April 27, 2022

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17 Washington, D.C.

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20 The interview in the above matter was held in Room 4480, O'Neill House Office  
21 Building, commencing at 10:04 a.m.

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2       Appearances:

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5       For the SELECT COMMITTEE TO INVESTIGATE

6       THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

7

8       [REDACTED] STAFF ASSOCIATE

9       [REDACTED], INVESTIGATIVE COUNSEL

10      [REDACTED], PROFESSIONAL STAFF MEMBER

11      [REDACTED], FINANCIAL INVESTIGATOR

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17      For KEVIN ZAMBRANO:

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19      TODD STEGGERDA

20      EMILY KELLEY

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2           Mr. ██████████. This is the transcribed interview of Kevin Zambrano  
3           conducted by the House Select Committee to Investigate the January 6th Attack on the  
4           U.S. Capitol pursuant to House Resolution 503. At this time, I would ask the witness to  
5           please state your full name and spell your last name for the record.

6           Mr. Zambrano. Kevin Zambrano, Z-a-m-b-r-a-n-o.

7           Mr. ██████████. This will be a staff-led interview, although, members may  
8           choose to ask questions. I will note we are currently not joined by any members. My  
9           name is ██████████. I am an investigative counsel with the select  
10          committee. With me from the select committee are ██████████, senior investigative  
11          counsel; ██████████, investigator; ██████████, and ██████████ joining  
12          remotely, and they're also investigators. At this time, I would ask counsel to identify  
13          themselves for the record.

14          Mr. Steggerda. Todd Steggerda. I'm a partner at McGuireWoods in  
15          Washington representing Mr. Zambrano. And I'm joined by my colleague Emily Kelley,  
16          an associate at McGuireWoods in Washington.

17          Mr. ██████████. Now, Mr. Zambrano, you are voluntarily here for this  
18          transcribed interview. Some grounds rules, there is an official reporter transcribing the  
19          record of this interview. The reporter transcription is the official record of the  
20          proceeding, although this proceeding is also audio and video recorded, please wait until  
21          each question is completed before you begin to respond. We'll do our best to wait until  
22          your response is complete before we ask the next question. The reporter cannot note  
23          nonverbal responses such as shaking or nodding your head. So it is important that you  
24          respond to each question with an audible verbal response. Also, it's important to speak  
25          slowly to make sure that the record is accurate.

1 Please give complete answers to the best of your recollection. If a question is  
2 unclear, please ask me for clarification. If you do not know the answer, please just say  
3 so. I will remind you that this is an official congressional proceeding, and providing false  
4 testimony to Congress could subject you to penalties, including criminal prosecution.  
5 Logistically, please let us know if you need to take any breaks or would like to discuss  
6 anything with your attorneys. We're happy to accommodate you. Before we begin, do  
7 you have any questions?

8 Mr. Zambrano. No.

## **EXAMINATION**

10 BY MR. [REDACTED]

11 Q All right. Mr. Zambrano, do you recall that some months back we met for  
12 an informal interview?

13 A Yes.

14 Q Today's interview will be very similar to that informal interview, and we'll go  
15 through many of the same topics.

16 Now to begin, can you please provide your date of birth.

17 A [REDACTED]

18 Q And where do you reside?

19 A Annandale, Virginia.

20 Q And what is your cell phone number?

21 A

22 Q And for November 2020 through January 2021, which email addresses did  
23 you use?

24 A I believe KZambrano@GOP.com and [REDACTED]

25 Q And what about social media handles? Instagram, Twitter, did you have

1 those at this time? And if so, what were the handles?

2 A I do. As an additional staffer you'd think I would be more prolific on social  
3 media. I don't remember the -- I don't know -- the handles, they're so high, but I believe  
4 it's Kevin Zambrano, number four for both Twitter and Instagram.

5 Q Okay. And what's your educational background?

6 A I graduated from Syracuse in 2012.

7 Q What did you study?

8 A Political science and history.

9 Q Let's go through your professional background, what did you start working  
10 out of college?

11 A My first political job out of college in 2012 was on the Mitt Romney  
12 Presidential campaign.

13 Q What did you do there?

14 A I worked in the digital political department.

15 Q Doing what?

16 A It varied day to day, but at that point, around August, we were doing  
17 volunteer recruitment in States, rally turnout, coalition building, politically focused digital  
18 organizing.

19 Q Okay. And what happened at the end of that campaign?

20 A He lost. So.

21 Q That I do know. But what happened with you?

22 A I took random jobs in Boston until I moved down to D.C., I want to say,  
23 either Q1 or Q2 of 2013.

24 Q Give us some details so we have some light. Did you stay in a public space  
25 in these random jobs?

1           A     No.

2           Q     Okay.

3           A     I was an assistant headhunter for Boston companies.

4           Q     Okay. So what was your next political job?

5           A     I worked as an -- I don't remember this exact title, but email coordinator  
6     probably would describe it at a firm called Conservative Connector.

7           Q     An email coordinator. What year did you start that?

8           A     2013.

9           Q     And what is Conservative Connector?

10          A     It is a list brokering firm.

11          Q     Explain what that means.

12          A     Entities can rent lists to send fundraising emails, or list building emails to  
13     help build their internal database.

14          Q     What was your next job?

15          A     After Conservative Connector, I believe it was early 2014, I joined the NRCC's  
16     digital team.

17          Q     What does NRCC stand for?

18          A     The National Republican Congressional Committee.

19          Q     And what were you doing on the digital team?

20          A     I was running a lot of the day-to-day fundraising online.

21          Q     What does that mean, practically?

22          A     I was getting copy approved, I was sending emails out, monitoring  
23     deliverability.

24          Q     Were you drafting copy?

25          A     I believe in a cert -- it wasn't my full-time job, but I do believe that I was

1 helping in drafting copy.

2 Q Okay. So you did digital team. What was your title there?

3 A I don't recall my specific title, but it might have been around just generic  
4 digital strategist.

5 Q What was your next job?

6 A After 2014, in early 2015, I joined Jeb Bush's Right to Rise PAC.

7 Q What did you do for the Right to Rise PAC?

8 A Very similar to the NRCC role of handling day-to-day execution on digital  
9 fundraising.

10 Q Online secretary, right?

11 A Yes.

12 Q Yeah.

13 A Yeah.

14 Q Copies that included getting copy approved, monitoring deliverability?

15 A Marking up and actually hitting send on emails. I would say the day-to-day  
16 execution on online conversing.

17 Q Okay. And when did you leave the Right to Rise PAC?

18 A What Jeb Bush announced his Presidential campaign in believe June or -- I  
19 believe June of 2016.

20 Q And did you join the campaign?

21 A I did.

22 Q What capacity?

23 A The same role as Right to Rise, handling the online fundraising day to day.

24 Q Okay. And when did that campaign end?

25 A I don't recall the specific date of South Carolina, but the South Carolina

1 primary.

2 Q Okay. So would that be?

3 A February, I believe, of 2015? No, 2016. February 2016.

4 Q Is it fair to say you would have joined the campaign in -- ahead June 2016,  
5 was that June 2015?

6 A Yes. Sorry, I misspoke.

7 Q And then early next year would have been South Carolina?

8 A I believe it was February 2016.

9 Q It sounds right to me as well. So what happens after you leave the Romney  
10 campaign, excuse me, the Bush campaign?

11 A I moved back to Washington, D.C. and started at the Republican National  
12 Committee.

13 Q In what role?

14 A Again, I don't remember my exact title, but it was something around online  
15 prospecting manager.

16 Q And what does that role mean?

17 A I was tasked with finding new online donors for the committee.

18 Q Did you -- any prior work you done, the kind of digital strategist work you  
19 done in the last three jobs, were you replicating some of those tasks again?

20 A In terms of strategy and proposing potential ideas, I was not as heavy in the  
21 day-to-day execution at the RNC. I wasn't sending emails or getting approvals or  
22 anything.

23 Q And is that fair to say because you were in the most senior role than  
24 someone who was doing that or just in a different role?

25 A I would say both. It was a more senior role than I was used to, but also it

1 was a different role that operated differently than my roles in the past.

2 Q Okay. And when was your next role at the RNC?

3 A I believe I became deputy digital director in early 2017.

4 Q And who was the digital director then?

5 A The digital director and the chief digital officer are two different positions.

6 Are you looking for the chief digital officer?

7 Q Let's hear both.

8 A The chief digital officer was Samantha Osborne.

9 Q Okay.

10 A And the digital director was Doug Hochberg.

11 Q And when you were deputy to the director, how did the reporting structure  
12 work?

13 A I would report more directly to Sam than Doug.

14 Q Okay. And what was your role as deputy digital director?

15 A In this role in 2017, I was overseeing a lot more of the entirety of the online  
16 fundraising program.

17 Q Is this effectively what Austin Boedigheimer was doing in 2020?

18 A Yes. I would agree with that statement, if anything, in 2017, it was scaled  
19 down compared to 2020.

20 Q So in the role of deputy digital director, you were with Yoon (ph) Copy?

21 A I believe so, yes.

22 Q And were working with -- were you also working with getting emails  
23 approved through upper channels?

24 A I don't recall that I was sending approval chains or anything, but I would  
25 have been on the approval chains.

1           Q    Okay. When did your role change?

2           A    I don't recall the specific timing, but my next title change would be when  
3       Sam Osborne left, I believe, sometime in 2017. Doug moved up to chief digital officer.  
4       I became digital director. A lot of the day-to-day did not change, but that was my next  
5       title change.

6           Q    And what was your next title change after that?

7           A    I believe it was around March of 2019 when I became chief digital officer.

8           Q    Was that because Doug left?

9           A    Yes.

10          Q    And how did your role as chief digital director compare or change from your  
11       prior role?

12          A    I had to be removed a lot from the day-to-day of fundraising and handle the  
13       other roles that came with that title.

14          Q    Such as?

15          A    Digital at the RNC is a service department. So, basically, any other  
16       department, communications, data, political, all-needed assets or things from the digital  
17       department. So I needed to be liaising with the other directors and the other senior  
18       staff to make sure they had everything they need. I had to focus more on political. I  
19       had to focus on building out the team in -- around that time in 2019.

20          Q    And did, pre-19, did Austin Boedigheimer work already for the RNC as  
21       deputy digital director?

22          A    I don't believe that was his title in the 2018 cycle. I believe that became his  
23       title in 2019. I might be misremembering when he actually took over that title, but he  
24       was already at the RNC, yes.

25          Q    So let's go to early 2019. Well, let's go to 2020, actually. At that point,

1        presidential cycles are in full swing. Is that fair?

2            A     In early 2020?

3            Q     Yeah.

4            A     I don't know if I would agree with that just because there still wasn't a  
5        presumptive nominee on the Democrat side. So I would say once that happened, it  
6        would probably be more full swing. But I would mark it as around June, but --

7            Q     When does Gary Coby, in your world, your digital team, when does that start  
8        to merge together, at what time period?

9            A     I don't recall the specifics of when the annex, the RNC's annex in Rosslyn  
10       opened and when digital moved over. I believe it was late 2019 or early 2020. Again,  
11       Gary Coby had been with the RNC back in 2016 and had been around since. So, I would  
12       say he's -- he was around that the RNC in the building since before the President became  
13       the nominee.

14           Q     So walk us through when you get to the annex, what is your understanding  
15       of how the team's reporting structure, what the team's reporting structure is between  
16       the RNC and the campaign, and how you saw the RNC playing a role with TMAGAC?  
17       Kind of walk us through all of that in 2020.

18           A     In 2020, I would say that it was very similar to the past 4 years at that point  
19       in terms of TMAGAC in RNC involvement. The majority of the staff was at the RNC doing  
20       both RNC and TMAGAC work. At that time, there wasn't -- I don't recall how many  
21       specific digital campaign staffers there were, but they were focusing on other digital tasks  
22       besides just fundraising.

23           Q     Tell us about the reporting structure. So tell me -- I understand that they  
24       were -- let's go to mid-2020. I understand there were three copywriters and one chief  
25       copywriter. Does that sound correct to you?

1           A     I'm not sure when all the copywriters started.  We had to hire a lot more  
2     than we initially planned for the entire department as COVID took over and everything  
3     transitioned more to digital.  But I believe that sounds correct.

4           Mr. Steggerda.  Do you remember your team, what the team was comprised of,  
5     say, post-convention, you know, when you really got into general?

6           Mr. Zambrano.  Hannah Allred was already there.  I believe Alex Merlin was  
7     hired.  I'm not sure.  I know Ethan Katz was on that.  And I don't recall the third one  
8     that you had mentioned, but that doesn't mean that there wasn't another copywriter.

9           Q     The name Alex Blinkoff, is that a name you're familiar with?

10          A     That is a name I definitely have heard and am familiar with.

11          Q     Do you know what role or capacity that you're familiar with?

12          A     I -- I don't.  Again, at that time, the hiring was with -- I wasn't involved in  
13     that direct hiring of every single staffer.  So that name sounds familiar, though.

14          Q     So when you said that you had to expand a lot, the copywriting team, what  
15     would have been the normal amount of copywriters, and how does that compare to  
16     where you are now?

17          A     In 2016, I believe we had one copywriter.

18          Q     Okay.  So when you say from the one to the four, that's the kind of growth  
19     you're talking about.  Is that fair?

20          A     I believe so, yes.

21          Q     And then, those three copywriters reported to Hannah Allred, correct?

22          A     Yes.

23          Q     And who did Hannah report to?

24          A     I believe on the organizational chart, she would have reported directly to  
25     Austin Doedigheimer.

1           Q    Is that different from practically when you --

2           A    No. On a day-to-day, she would be reporting to Austin.

3           Q    And who did you understand Austin to report to?

4           A    Austin would report to me. He also -- he would not report to Gary Coby,  
5       but Gary Coby could go to him.

6           Q    So did Gary Coby, is it fair to give assignments or directions directly to  
7       Austin?

8           A    He could, yes.

9           Q    Yeah. Is it fair to say that he did?

10          A    I believe he did.

11          Q    When you say you believe he did, is that fair to say that he did? Is it your  
12       understanding that he did give direction to Austin?

13          A    Yes, yes.

14          Q    Now, Austin oversaw -- and I'll call him Austin for the sake of probably the --

15          A    Boedigheimer.

16          Q    -- in describing the name. But is it fair to say that Austin led the fundraising  
17       team in his role as deputy digital director?

18          A    Yes.

19          Q    And as part of that role, he oversaw the copywriters and drafting copy for  
20       email and text?

21          A    I wouldn't want to speak for Austin, but I believe, yes, that would be  
22       included in his role to oversee all of that.

23          Q    And just to be clear, when I ask you questions about Austin, I'm not asking  
24       you to speak for him, but I am asking you as someone who he reported to your  
25       understanding of what he did when he reported to you, okay? And as part of that role

1 as deputy digital director, that involved him, is it fair to say, shepherding emails through  
2 the approval chain process?

3 A I don't believe Austin was actually sending the approval emails.

4 Q What I'm separating out the administrative functions of Julia Trent, right?

5 She sent the emails, correct?

6 A Yes.

7 Q The approval chain?

8 A Yeah.

9 Q But Austin was responsible for making sure the emails got approved so they  
10 could be sent down. Is that fair?

11 A Again, I don't know if he looked at every single piece of copy, but yes I  
12 believe that he would be moving it along once it was drafted and moved over to Julia's  
13 side.

14 Q Okay. Now, the emails that Austin and Hannah and folks were working on,  
15 those are primarily drafting emails for TMAGAC, correct?

16 A Yes, I believe so.

17 Q And is that the joint fundraising committee between the RNC and the Trump  
18 campaign, correct?

19 A Yes.

20 Q Now, I want -- I understand a bit about your role, understanding that Austin  
21 reported to you, but just a little more detail to what your day-to-day looked like. Let's  
22 go, as Todd noted, from the convention forward. Which is the convention in August?

23 A It changed.

24 Q Somewhere around there. I guess you had --

25 A We had a few.

1           Q     Yeah, yeah, I do recall. Let's go from August forward, which is fair to say  
2     that the campaign is in full swing there, the general election. What does your  
3     day-to-day look like as the chief digital officer for the RNC?

4           A     Around August of that time, fundraising is still the predominant output of  
5     the digital department. So checking in on the different channels, seeing what numbers  
6     were, reporting them back to Richard Walters. At that point, political would have  
7     started to pick up. As absentee ballots were moving, early voting was starting, we were  
8     going to need to start planning budgets and universes. So that started taking up more  
9     of my time on the political side.

10          Q     When you say planned universes, what does that mean?

11          A     In digital targeting, you can target certain States. There is sort of files for  
12     each State. So I wouldn't really be planning the universes, that would be the data  
13     department.

14          Q     Okay. So you would report -- and when you were reporting to Richard  
15     Walters, you are reporting, like, fundraising numbers?

16          A     Mostly, yes, overall just general raised for the day.

17          Q     And were you reporting typically the TMAGAC full number, or the RNC  
18     portion of that? How would you report that?

19          A     I would do full. Day of. Here is TMAGAC, and here is RNC because there  
20     were two separate accounts.

21          Q     Where would you get that information from?

22          A     I would pull it directly from the fundraising portal, WINRED.

23          The Reporter. And what was that last part?

24          The Witness. Winred, W-I-N-R-E-D, I believe is all one word.

25          Ms. [REDACTED]. Is it capital W, capital R?

1           Mr. Steggerda. I don't think.

2           Mr. Zambrano. I had been typing it that way.

3           Ms. [REDACTED]. Okay. So I don't think it matters for the transcript. It's just more  
4 for clarification.

5           BY MR. [REDACTED]:

6           Q     All right. So you are reporting to Rich Walters' fundraising numbers. How  
7 much oversight do you have over what Austin is doing in the copywriting process?

8           A     I would say minimal, compared to previous cycles. I had to remove myself  
9 from the day-to-day on the email execution in the schedule. I would, I am sure, would  
10 send full emails to Austin for, Hey, this is what's out there, we could probably fundraise  
11 off that, or here's what the Democrats are fundraising off of. But on a day-to-day, I  
12 would not have been very involved.

13          Q     I mean, you said to had remove yourself. Why is that?

14          A     I didn't have the time for the minutia of going up and sending 20-plus emails  
15 scheduled a day.

16          Q     So practically speaking, how would you -- as his supervisor, how would you  
17 confirm that he was being effective or otherwise in his role?

18          A     We had monthly budgets and goals to hit. Those were broken down by  
19 channels, so we could see where we are pacing behind, where we are pacing ahead.  
20 Depending on that, what resources do we have to shift to certain channels for meetings  
21 that we have to have with the teams to make sure that they were -- felt responsible for  
22 their goals.

23          Q     So throughout, let's go from, again, the time period we're talking about.  
24 Let's go from summer to the Election Day. Our understanding is that the fundraising  
25 team was quite successful, the TMAGAC, was critical to the campaign's fundraising goals

1 and meeting projection, et cetera. Was that your understanding that they were hitting  
2 the mark?

3 A Yes.

4 Q Okay. So was there any time you recall in 2020 where the fundraising team  
5 under Austin needed to be restructured, or otherwise redirected, because they were  
6 going off course?

7 A I wouldn't describe it as off course. But there were certain channels that  
8 we needed to institute daily meetings because goals weren't hit. We were spending  
9 more than we were raising on certain channels, which was not okay. So we had to  
10 institute daily check-ins on that to see what they needed, how we could make sure that  
11 we righted that ship.

12 Q And what channels were those and when?

13 A I don't recall, specifically, when they started. I -- around that timeframe of  
14 summer, I would say, is probably fair. The channels would be text messaging, email  
15 prospecting, some of those channels of the new donor acquisitions.

16 Q Okay. So is it fair to say there weren't concerns with raising money through  
17 kind of traditional emailing that we're talking about here at that channel seems like that  
18 was effective throughout 2020. Is that fair?

19 A Yes, I would say that.

20 Q Now, take us through what is your understanding as to how messaging gets  
21 into fundraising emails that the RNC employers were drafting with TMAGAC. How does  
22 that work?

23 A Again, I'm just saying preference, I'm not speaking for Hannah and the  
24 creative team's process, but it could vary piece by piece. But all of the emails, I believe,  
25 would be sourced from the President's words himself, surrogates, family, press releases,

1       all of the material that went into, I would say, majority of the emails would have been  
2       sourced from somewhere else.

3           Q     Now, was it your understanding -- was that a process that was put into place  
4       by you or someone else, or just how it's always been by nature of how fundraising emails  
5       work?

6           A     I don't recall a specific instruction that this is how you draft an email.

7       Again, working in the space for about 10 years, it's kind of, this is what digital fundraising  
8       is.   What is the news of the day?   What's driving it?   And your day is going to change,  
9       and you have to draft me a copy.

10          Q     So is it fair to say, then, that you understood the email fundraising  
11       messaging to be a bottom-up process where you relied on Austin and his team to take  
12       kind of the initial understanding of what to draft and then came up, or was there also a  
13       top-down process by where they were giving directives that focus on this or pivot to that?

14          A     I believe there would be both where there would be initiative, or they would  
15       see things on Twitter or news articles from the President again, and draft around that.  
16       Again, like I said, I would forward Hannah or Austin things that they may not see like on  
17       the Democrat email like what did Joe Biden put out today?   So it would be a mixture, I  
18       would say, more so on Austin and his team side, based on, again, the sources that they  
19       were using.

20          Q     And in 2020 would it be typical to get feedback from people more senior  
21       than you about the messaging in fundraising emails?   Either Richard Walters, Ronna  
22       McDaniel, Boris -- you know, people at the campaign indicating, Here is what we want  
23       fundraising emails to look like or text messaging to look like?

24          A     I don't recall a lot of that.   There would edits, of course, when we send  
25       around emails for approval.   Anything that was signed by the chairwoman, she would

1 approve herself. I'm sure there were edits to emails of hers, as I can't recall. But --

2           Mr. Steggerda. Are you referring to where Chair McDaniel would be a surrogate  
3 on a specific email?

4           Mr. Zambrano. Yes, if she was a signer of the email. You know, no surrogate  
5 emails would go out without the surrogate's approval as well. I don't recall specific  
6 direction on anything. Again, there may have been on certain programs, especially, you  
7 know, Supreme Court-related things that we might not know the ins and outs of. So we  
8 might get some direction there.

9           Q So is it fair to say that the fundraising team under Austin was left to kind of  
10 run itself. And I don't mean that in a pejorative way, but I mean that it seems like senior  
11 people, whether it's you or more senior than you, are not kind of giving day-to-day  
12 directives, or otherwise even broad directives about messaging, or how to this works, but  
13 that the team was under Austin's leadership was kind of good guiding itself and running  
14 itself and was working. Is that a fair characterization?

15           A Again, it was no different than a lot of the jobs I've had for the past decade  
16 where the digital team would be sourcing the material just because there is so much  
17 content out there; that other departments have their own roles that they needed to  
18 complete. So it was not a new system for digital to be producing a lot of the content  
19 based on what they were seeing, you know, on social media and in the news.

20           Q Now, I'm not suggesting whether it was new or not. I appreciate the  
21 clarification. I'm asking you whether what I said was accurate?

22           A And what was it exactly that you said?

23           Q Well, what I'm understanding is that Austin and his copywriters are tasked  
24 with getting material, pulling it out from the President's -- trying to find the President's  
25 voice through, again, looking at his Twitter, campaign press releases, the messaging, and

1       they pull from that, and they draft copy, and it goes to the approval chain. And what it  
2       looks like is that people who are more senior than Austin are not involved in kind of  
3       day-to-day supervision of that in a more granular way. That's really left up to Austin's  
4       team, and that they were successful in doing that. And I'm not suggesting that there is  
5       something nefarious about that or someone should be, I am saying, right, Austin is a  
6       professional. But is that fair? Is that how you saw this is working, that you were not,  
7       you know, you might give suggestions, but this was not a top-down, run operation.  
8       You're saying, this is how it works, but is that fair? This was really that team running  
9       itself, and that they were successful in doing it.

10           A     I mean by virtue of the leadership you're discussing, if I could not have been  
11       in the day-to-day, then they couldn't either. So I would say that, again, they operated  
12       under the same approval process as the entire cycle. But, yes, they would draft a lot of  
13       the content based on, again, what the President was saying or anything, but yes.

14           Q     It seems like you are hesitant to adopt my characterization. And if I'm  
15       saying something that is incorrect, I want to try to understand the process correctly. So  
16       is there something I said that gives you pause that I am incorrectly characterizing how this  
17       works?

18           Mr. Steggerda. Do you feel like Austin and that team kind of ran on their own  
19       without a lot of direction?

20           Mr. Zambrano. I wouldn't say without a lot of direction, because it was built up  
21       for years before 2020 even happened. So it was a continuation of what we had been  
22       working towards. So the direction may have come, maybe not during that cycle, but in  
23       the past there were. But I would say that on a day-to-day, they would have to operate  
24       without more direction on what the content shouldn't be, again, draft it, send it around  
25       for approval, and then, based on what was successful, continue down that.

1                   BY MS [REDACTED]:

2                 Q     So that is actually consistent with what we were told in that Mr. Parscale,  
3     when he was campaign manager, had built up a digital fundraising machine -- a well-oiled  
4     machine was actually how it was described to us -- and that part of what they learned  
5     after 2016 was that if they left too many controls for senior management to have  
6     approval over, and those people were at a convention or were incommunicado for  
7     periods of time, it could ink up the machine. So they actually reduced the number of  
8     things to smooth the process to make it more well-oiled to reduce the friction of having  
9     to wait for people.

10                So to my colleague's point, what our understanding was, was that by 2020, they  
11     had created a process where the lower-level digital copywriters did have a lot of  
12     autonomy so that there wasn't that friction where there weren't too many approvals  
13     slowing things down so that the machine didn't get gummed up. That was the way that  
14     it was described to us by multiple witnesses. We're just trying to see, like, do you agree  
15     or disagree with that characterization?

16                A     As someone who has been dealing with the approval process for 10 years, it  
17     goes back and forth. I would say that at least from my side of the email and text  
18     messaging fundraising, the approval process was pretty consistent from 2016 on, and in  
19     terms of who was involved and the titles of the people that people may have changed.  
20     But we would never go out without the full checklist of approval. I don't speak for any  
21     other channel. I certainly don't speak for the campaign's approval process. But I  
22     would say that the TMAGAC and RNC approval process was pretty consistent. And we  
23     may have removed some people, you know, throughout my 5 years, but I don't know if I  
24     would say that we removed a lot of the approvals on that.

25                Q     Oh, let me be clear, I'm not saying that they removed a lot of the approvals,

1 there was still an approval process. I think what my understanding was that there were  
2 events where somebody was at a convention was unable to respond for 12 hours, and all  
3 of a sudden, things are getting inked up. So there was discussion of, Well, how should  
4 we smooth out the approval process to make sure that if person A isn't responsive, there  
5 are other people; it's not all bottlenecked through one person.

6 So I didn't mean to suggest that the substance of the approvals was reduced as  
7 much as maybe, like, the procedural avenues to prevent bottlenecking. I think what I  
8 want to clarify in something you just said, though, is you said it was consistent. You said  
9 TMAGAC and RNC, the approvals were consistent. Were you talking about from 2016 to  
10 2020 your understanding was they were the same, or they were consistent with other  
11 campaigns and it was a comparative thing? I just wanted to make sure I understand  
12 what you were saying it was consistent with.

13 A I would say that from -- again, 2016 may have been a little bit different  
14 because it was a new process with a new JFC. But from 2017 onward, I would say it was  
15 very consistent in terms of the online fundraising content or political content approval  
16 chain with the RNC and campaign for TMAGAC.

17 Q Okay. So, internally, timeline-wise, it was consistent. I think you said you  
18 worked on other campaigns. I'm just curious, based on your experience, did you feel  
19 that the digital copywriters on the TMAGAC team, the amount of autonomy that they had  
20 in terms of what went into the copy and that process, was that level of autonomy  
21 consistent with other campaigns that you had been on?

22 A Yes, I would say when I was on Jeb Bush, when I was on the NRCC, we were  
23 hired because we knew digital. So the senior leadership would look to us to be  
24 successful on digital.

25 Q I'm sorry. I was not talking about the senior leadership. I was talking

1       about, like, the 20-something-year-olds that are drafting this stuff, that for the most part,  
2       get a lot of leeway with what they put in. As people not that experienced in politics and  
3       campaigning, we were surprised at the age at some of the copywriters, the level of  
4       responsibility they were given for what to pull, what to take from the news, what to take  
5       from the messaging. Was that level consistent, in your experience, with other  
6       campaigns?

7           A     Yes.

8           Q     Okay.

9           A     Digital is a very young --

10          Q     It's just a very fine thing across politics.

11          A     And it is the same on both sides.

12          Q     That is good to know.

13                      BY MR. [REDACTED] :

14          Q     Now, we talked about pulling messaging from President Trump's Twitter,  
15       whatnot. Is it fair to say that you understood the role of the copywriters was to capture  
16       President Trump's voice when they drafted those TMAGAC emails from him?

17          A     If they were signed by him, yes. It would be fair to say that any surrogate,  
18       you would want to stay as close to their voice as possible.

19          Q     Now, President Trump isn't just -- he is not a surrogate, right? He is a  
20       candidate. Is that a better way to call him? He is a candidate rather than a surrogate.  
21       He is not a surrogate for himself, right? Is that correct?

22          A     Correct, right.

23          Q     So even the non-Trump signed emails, the Trump team emails would also be  
24       capturing his voice and his tone and his messaging. Is that fair?

25          A     I would say that was fair, yes.

1 Q And how would you characterize by President Trump's tone and messaging?

2 A Direct. Especially when on Twitter.

3 Q Is it fair to say it was aggressive?

4 A It depended on the issue I'm sure. But, yes, probably more so than  
5 candidates I worked for.

6 Q Is it fair to say it was hyperbolic?

7 A Again, he put out a lot of statements. I don't know specifically which one  
8 you're --

9 Q I'm not talking about specific, I'm talking about on average.

10 A I don't speak for the President.

11 Q I'm not asking you to speak for the President. Would you say Jeb Bush's  
12 tone was hyperbolic and aggressive?

13 A At points, yes.

14 Q On average, would you say it was hyperbolic and aggressive?

15 A I don't think I would say that, no.

16 Q Okay. Speak --

17 BY MS. [REDACTED] :

18 Q No, I was just going to say, if you had to compare the two, as somebody who  
19 worked for both, you had to describe Mr. Bush's rhetoric versus Mr. Trump's rhetoric, if  
20 you were describing them to somebody who maybe haven't seen them, how would you  
21 describe them, generally?

22 A I would describe it as Jeb Bush would be more establishment language,  
23 whereas Donald Trump would be more outsider language.

24 Q So I think that's getting more to kind of like the content. So I'm not going  
25 to disagree yet. I think what we're trying to ask you is more tone. So, like, what if

1 somebody said Jeb Bush is more measured versus President Trump is more extreme or  
2 more aggressive, would you agree or disagree with that?

3 A I don't know if I would put it in as plainly as those terms. I understand  
4 where that could come from. Again, I'm not part of the communications department, so  
5 that's completely -- I am not involved in anything related to that. I would say Jeb could  
6 be considered more measured or collected. President Trump could be, you know, freer  
7 as a way I would describe it, or he says what he thinks more than most politicians  
8 probably would.

9 BY MR. [REDACTED]:

10 Q We're not trying to ask you a trick question here, which means -- and I think  
11 what we're getting at, which is the obvious is that President Trump's tone -- it's not that  
12 he's honest and Jeb Bush is dishonest, right? They speak differently even about the  
13 same subject, typically. Is that not fair?

14 A I mean from the limited interactions of the debates between them, I would  
15 say, yes, they speak differently. That is when I am measuring the two of them.

16 Mr. Steggerda. I mean, but in your -- he asked you initially did you view it as  
17 aggressive or hyperbolic; are those words that you used and understand, or is there  
18 another way for you to, just in your own words, describe how you felt about the tone of  
19 the way that the President communicated that then ultimately got reflected in the team's  
20 emails? You said you viewed it as a direct form of communication. Any other, as  
21 compared to, for example, candidate Jeb Bush from the earlier cycle, how would you view  
22 the President in your own words?

23 Mr. Zambrano. Yeah, I don't know if I have ever used those words to describe  
24 the President that you have. So I guess that's -- I don't know if I have used those  
25 adjectives. I would say -- I would describe more red meat.

1           Ms. — Did you say red meat?

2           Mr. Steggerda. Red meat.

3           Mr. Zambrano. Yes.

4           BY MS. [REDACTED]

5           Q     Can you explain that? I mean, is that a political term or just -- I just don't  
6     understand it -- I mean, I think I understand the analogy, but I really want to make sure I  
7     understand the way you're using it?

8           A     Yeah, I've heard it in politics more so, especially it's very easy to compare  
9     online fundraising to direct mail. Whereas direct mail is going to be not as heavy on the  
10    red meat, and the issue specific, whereas online fundraising changes day to day based on  
11    the news. So you can be more -- you can take a lot more of what is actually happening  
12    in the news and reacting -- reactionary.

13          Q     I promise you I'm not -- I'm literally not understanding the term "red meat"  
14    in the sense of -- how are you -- like describe as if I'm 8 years old, or a 3rd grader, like,  
15    when you're using that as an analogy, what do you mean?

16          A     So I would say red meat, in terms of online fundraising, would be more  
17    direct, issue-based, what is having the base or the donor -- the donors react to, more so  
18    than on a direct mail side, where you're waiting 6 weeks before a letter can drop, and you  
19    can't base it off the news because you don't know what it would look like.

20          Q     So if I'm understanding you right, the analogy there is the red meat that you  
21    would throw to rabid animals to get them like all riled up, like the stuff that you would  
22    throw to get people like -- the red meat -- if I'm understanding the analogy, like, the stuff  
23    that you would pitch to animals to kind of get them all riled up. And I don't mean  
24    to -- I'm not being disparaging. I'm trying to -- it sounds like that's what you're saying.

25          I don't want to put words in your mouth, but I'm thinking of that scene from

1       Jurassic Park -- I know I'm aging myself because I'm actually talking about the original  
2       Jurassic Park -- when they lower that goat into the T-Rex cage. And it's just -- all you  
3       hear is like, rarghh, and then like it comes up like shredded. But is that what we're  
4       talking about when you say red meat like the --

5           A     I mean, I don't know if it's ever been described to me like that. It's a term  
6       I've heard almost my entire time in politics. To me, it was just always the issue-based  
7       content that is used for donations.

8           Q     But there is a tone there, right? Like now that you've described it, like, and  
9       I get it, there is a tone there of when you call it "red meat" -- it's -- the way that we've had  
10      it described, you can tell me if you disagree, but the way that it was described to us is  
11      small-dollar fundraising, especially in email fundraising, tends to be like the most  
12      hyperbolic language because you have to get people riled up enough to donate.

13           So your term is actually the -- kind of summarizes in two words the idea that it's  
14      like the chung (ph) that you would throw to get people worked up about something. Is  
15      that in order to get them to donate money. Is that fair?

16           A     I guess I never would have thought of it that way. I mean, again, I have  
17      never thrown red meat to an animal, so I don't know that that was on my head. But I  
18      would say on both sides, that the language would be more aligned to get people wanting  
19      to donate to a cause or a candidate.

20           Q     That's super helpful. In your experience, is that a term that's used  
21      throughout the industry in terms of digital fundraising? By that, I mean, had you heard  
22      the term "red meat" before the Trump campaign?

23           A     Yes.

24           Q     Before 2016, presumably?

25           A     Yes.

1           Q     So it's a pretty well-known expression in terms of the red meat at digital  
2 fundraising?

3           A     In the red meat of politics, in general, I would say in the messaging.

4           Q     Okay. So it's more specific -- and I just want to clarify, it's not specific to  
5 digital fundraising, it's more a term used in, like, political messaging of things that are red  
6 meat that would get people kind of riled up. But is there a tie to donating that you  
7 know of?

8           A     I don't know if I specifically tested anything on that, but --

9           Q     Now, let me rephrase my question because it was poorly worded. What I  
10 mean is when you are using the term "red meat," or your best understanding of it, is it a  
11 messaging term like to get people to just care about something or to get people, you  
12 know, to click on a radio button, or is it, in your mind, tied to an aspect of getting them  
13 concerned or thinking about something for the purposes of donating?

14          A     Can you elaborate on the first one a bit?

15          Q     Yeah, so what I mean is, is I understand -- I think I understand your use of  
16 the term "red meat," and there is -- there is red meat in communications, I would think,  
17 right, to get somebody to care about something, to go out and vote. Or sometimes you  
18 had in your emails, click yes or no, like a simple vote. It wasn't necessarily a donate  
19 button. It was, you know, do you want X, Y, or Z, vote yes or no.

20           In your mind, when you're using the term "red meat," or in your experience when  
21 you hear the term "red meat," is it simply just something to get people riled up and  
22 concerned about an issue, or is it something to get people riled up and concerned so that  
23 they donate? Or are those two not separate to you? I'm just trying to get a feel  
24 for -- there is a purpose to throwing red meat to an animal. What is the purpose, in  
25 your mind, when you hear the term "red meat," is there a purpose attached to it? Does

1 that make more sense?

2 A I would say, in general, the purpose would be to donate.

3 Q Okay. And if I don't ask something clearly, please don't hesitate to ask me  
4 to rephrase, because I'm doing my best with the politics stuff. But if it doesn't make  
5 sense to you, it means I'm likely not wording it well, and I can do that better. So please  
6 don't hesitate.

7 Mr. Steggerda. Let me just clarify one thing. The term "red meat," as you use  
8 it, have you heard that in a far broader context than just fundraising?

9 Mr. Zambrano. Yes.

10 Mr. Steggerda. An example would be if someone gave a speech at CPAC, and  
11 said something about, for example, you know, the Dems believe in open borders, or  
12 something like that, that would be an example of red meat?

13 Mr. Zambrano. Yes.

14 BY MS. [REDACTED]:

15 Q That's actually helpful because it's -- that clarifies the fact that it's a pretty  
16 well-known term for something to throw in there to kind of like rile up the people, right?  
17 Like the analogy is pretty clear?

18 Mr. Steggerda. An example would be that I would offer for digestion of the  
19 session, is if the Democrats send an email out to their base and say the Republicans are  
20 busy trying to remove all environmental regulations --

21 Ms. [REDACTED]. Right.

22 Mr. Steggerda. -- that would spur a reaction from that base.

23 BY MS. [REDACTED]:

24 Q And I just want to make sure that it's in Mr. Zambrano's words. I'm not  
25 saying it's not a good example.

1           But if I understood you correctly, the analogy is something that you know that you  
2       can lob out there that's going to get a rise out of people that's, for lack of a better word,  
3       is going to trigger them to care. It's not going to roll over them. It's going to get them  
4       all riled up, like throwing red meat to an animal. That's what I understood you to mean  
5       that it's a political term, possibly, likely used by both sides, a mechanism likely used by  
6       both sides.

7           To Todd's point, industry-wide -- I guess, let me back up for a second. I was  
8       under the understanding that most of your experience was in digital fundraising. So  
9       when you were talking about red meat with people, a moment ago when I was asking  
10      you, did you perceive there to be a purpose, I thought you were saying donating, because  
11      that's the realm that you live in. It's possible that a comms person using the term "red  
12      meat" might mean something else not being donation. But when I was asking you like in  
13      your mind, is there a purpose when you're using the term "red meat," is it tied to  
14      something, I am assuming red meat in digital fundraising, the purpose or the goal is to get  
15      donations. Is that fair?

16           A     Yes.

17           Q     Whereas, if I asked a comms person what's the purpose in using red meat in  
18      comms, they might say, Oh, just to get them riled up, or just to rile them up through  
19      messaging. There could be different purposes, right?

20           A     Again, I have never had a communications role, so you could ask someone  
21      else in -- what their definition of red meat would be, but potentially it could be different.

22           Q     And that's fair. I definitely want to keep it in the purview of your expertise.  
23       So as somebody in digital fundraising, to the extent that you use red meat  
24      communications in digital fundraising, I understood you to say the purpose of that would  
25      be to get them to donate?

1           A    Yes.

2           Q    Okay. I just wanted to clarify.

3           Mr. Steggerda. Do you remember ever giving Austin voting time or direction to  
4 use red meat in fundraising?

5           Mr. Zambrano. I don't know if I've ever said that specifically to anyone. It's  
6 kind of just known, like you said, industry-wide on both sides.

7           BY MS. [REDACTED]:

8           Q    It's a practice, right?

9           A    It's the reason why the Democrats are fundraising off of banned books on a  
10 nationwide issue which might not be playing -- you know, why would that be playing  
11 nationwide, but they're using those hot button issues, the red meat issues for donations.

12          Q    Correct me if I'm wrong, it's a well-established political practice in small  
13 donor email fundraising to be as hyperbolic as possible, because it increases donation  
14 rates, doesn't it, just politically across the board?

15          A    I don't know if I would say hyperbolic as possible.

16          Q    Well, meaning compared to what you might send out in direct mail, or  
17 compared to what you might say in real life like in a speech.

18          A    Again, I'm not a speechwriter. I would say that digital fundraising would  
19 be -- yeah, it would be different and harder hitting language than direct mail would be  
20 just by the nature of going off of the news cycle.

21           BY MR. [REDACTED]

22          Q    Let's talk a bit about how you used data in the 2020 cycle, especially in 2020.  
23 Tell us a bit about how you used sales force in its platform?

24          A    I personally was not day-to-day in that platform.

25          Q    What did you understand to be on the platform?

1           A    That there were the CRM side of things, and the email-sending platform  
2   marketing club.

3           Q    Sorry, can you repeat that last part again?

4           A    Marketing club was the email sending platform.

5           Q    What about Datarama?

6           A    I believe that was the data visualization tool for the CRM.

7           Q    Okay. When you say you were not in the platform on a day-to-day basis,  
8   you were referencing what you just said between the CRM and the Datarama  
9   visualization of that?

10          A    Would I say what?

11          Q    My understanding is that you said you were not -- you did not use a sales  
12   force platform on day-to-day basis. And when you said that, you were referencing the  
13   cloud -- what is it cloud marketing?

14          A    Marketing cloud.

15          Q    Marketing cloud and Datarama at visual life at Data.

16          A    Marketing cloud is different than sales cloud which is different than  
17   Datarama, but yes.

18          Q    Okay. So let's clarify your understanding of all three. What's a marketing  
19   cloud?

20          A    That is where you send emails.

21          Q    Okay. That's like how you literally get mock email out to millions of people,  
22   that's marketing cloud?

23          A    Correct.

24          Q    And then what is sales cloud?

25          A    That is the CRM. The database.

1           Q    What does CRM stand for?

2           A    This is something I 100 percent should know, but I believe it's customer  
3         relationship management, or it's the database of your customer, your database, your  
4         donor base.

5           Q    And what is Datarama?

6           A    It is, I believe, a visual representation of the data in the CRM to hold  
7         different reports.

8           Q    Now, how often did you use marketing cloud?

9           A    Maybe a handful of times.

10          Q    Is it fair to say that was someone else's role to work on the actual sending of  
11         the emails?

12          A    I stopped sending emails in 2016.

13          BY MS. [REDACTED]

14          Q    Can I ask you -- I'm sorry -- a quick clarification question. You said  
15         marketing cloud it sounds like was a mechanism by which you send emails to actually  
16         type them in and then send them out. Sales cloud, you said, was the customer  
17         relationship management tool, understanding that may or may not be what it stands for.  
18         But if somebody said marketing cloud is how you send the emails, sales cloud was how  
19         you gauge the metrics of the emails, and Datarama visualized those metrics. Would that  
20         be accurate or inaccurate?

21          A    Both.

22          Q    If you can explain, that would be helpful.

23          A    So marketing cloud would house data related to email sends. So opens,  
24         clicks. Whereas sales cloud would have donations tied back to the individual donor or  
25         the campaign they gave him. So it could potentially live on both systems.

1           Q     Okay. So certain types of email metrics could be on marketing cloud, but  
2     donor metrics tied to those emails would be on sales cloud?

3           A     I believe that is correct, yes.

4           Q     Okay. And this is literally your best understanding. We're not going to  
5     hold you be to an expert in sales force. But Datarama, is it a visual representation of  
6     what's in sales cloud, marketing cloud, or both?

7           A     Depending on the report, I would say both.

8           Q     So it could access both?

9           A     I believe so, yes.

10          Q     Okay. But it was really more for visualizing like if you were going to  
11     prepare to show somebody or needed to show the metrics?

12          A     It could be used for that. It could be used more internally. You know, it  
13     might not be the prettiest picture, but you get an idea of what's going on day to day.  
14     Again, I wasn't building the reports, so I don't have the full specifics on the Datarama.

15          Q     Did you see them, though?

16          A     I saw some, sure. I don't recall the certain ones I saw, but, again, I wasn't  
17     granular on the reporting day to day.

18                 BY MR. ██████████

19          Q     So who was granular in reporting day to day?

20          A     I would say a lot of the teams within the fundraising team, monitoring their  
21     specific channels for the day. Like we went and talked about, you know, where we were  
22     spending and raising for the day, each channel would be responsible for those goals.

23          Q     So tell me who by name. Are we talking about Austin here, for example?

24          A     Again, not to be unfair to anyone, but if Austin -- he would be more granular  
25     in certain reports. I wouldn't say that he would be in every single one.

1           Q     Here is what I'm trying to understand, and I'm not asking you to speak for  
2     people, but as the chief digital officer, what did you understand people to be doing with  
3     this information, right? So if you're not in it, who was looking at the Datarama reports  
4     and making decisions based on that? What was your understanding?

5           A     I would say the teams within the fundraising team. So the email  
6     deployment team, and the copywriting team; Austin overall, for goals for the day; the  
7     team that was in charge of texting at advertising; all the different channels would have  
8     the breakouts.

9           Q     Did you ever have -- was there ever times where you took this data, or  
10    someone provided you with this data whether from sales cloud, Datarama, marketing  
11    cloud, and fed it up to you, which you then discussed with people more senior than you?  
12    So Richard Walters, the chairwoman, did you ever feed this data up the chain?

13          A     I don't know if I would ever feed granular day to day, here is how X, Y, Z.  
14    They may have been one offer request on, Hey, I saw this email, how did it do? But  
15    mostly it would be, Here's, where we're at for the day, Here's where we're at for the  
16    month, Here's projected for the rest of the month. Those would be the kinds of top line  
17    numbers that I would feed upwards.

18          Q     So is it fair to say that you were not talking with Richard Walters or the  
19    chairwoman -- let me ask you this, how often were you directly in contact with Ronna  
20    McDaniel in 2020?

21          A     Between her travel and the political, a few times a month direct emails,  
22    phone calls. Probably just a few times a month, though.

1

2 [11:05 a.m.]

3 BY MR. [REDACTED]:

4 Q So fair to say that you spoke -- that it was really Rich Walters was the person,  
5 was your high frequency contact for senior leadership?

6 A Yes.

7 Q And is it fair to say that the kind of more granular email-by-email or analysis  
8 of how emails were doing was not what you fed up the chain but was more so, like you  
9 were saying, top line numbers about hitting fundraising goals, fundraising projections,  
10 those kind of things?

11 A Yes. That would be more so what Richard would see.

12 Q Did you have any involvement in the 2020 -- in 2020 with testing emails or  
13 otherwise kind of testing optimizations, that the kind of thing, either was in your  
14 wheelhouse or you oversaw?

15 A I wouldn't say that I oversaw it. I knew it existed. It's existed going back  
16 to, I believe, 2014. We've been using optimizing software or different types of testing,  
17 but I was aware of it. I wasn't in the, again, day-to-day on what tests were being  
18 executed.

19 Q Part of your role is -- did you also -- you dealt with invoicing and things of  
20 that nature, right, people having to get paid or whatnot, that might come in your  
21 wheelhouse?

22 A Potentially, yes.

23 Q So help me understand -- I just want to know what this service is. I'm going  
24 to show you exhibit 1. You can open your binder. It's going to come up on the screen  
25 in a moment.

1           It's exhibit -- it's Bates stamped ZK6916. It's an email, a December 16th email  
2 from someone named Sean Smith, S-e-a-n, and he is sending you what appears to be  
3 some kind of invoice. Do you recall this email or emails like this?

4           A     Yes. I would point out there is no invoice in this one.

5           Q     Yeah. What I'm noting is -- I said he's putting -- in the email below, he says:  
6 For December, we plan on invoicing the end-of-month actuals.

7                   Can you walk us through what service -- like, who is this and what service they  
8 provided?

9           A     Blast is a company that helps to set up and execute tests on web properties.

10          Ms. [REDACTED] I'm sorry. Did you say web properties?

11          Mr. Zambrano. Yes. Websites. Landing pages. They're a technical firm that  
12 specializes in setting up testing.

13          Mr. [REDACTED] So what's an example of a test you would run on a landing  
14 page?

15          Mr. Steggerda. There's just a -- I just want to say for the benefit of the so-called  
16 record, Mr. Zambrano's here in his voluntary, individual capacity. He's a former RNC  
17 employee. I'm aware of litigation between Salesforce and the RNC. I don't represent  
18 the RNC, but I know that the RNC is in that litigation proceeding asserting protections  
19 over proprietary fundraising techniques. I want Mr. Zambrano to continue to  
20 cooperate, but I don't want to put my witness in any sort of, kind of, position where he's  
21 providing things that his former employer would view as proprietary protected.

22          So I think, as a general matter, the testing or Blast or this sort of thing at a general  
23 level, I'm happy to have him answer, but I want to -- I don't know how detailed you want  
24 to go, but there's a point at which RNC proprietary fundraising techniques I think is  
25 outside the scope of what he's safely allowed to -- would be allowed to testify to.

1           Ms. [REDACTED]. I'm confused. Did you produce this document? Because at the  
2 bottom it says ZK. I thought this was your document.

3           Mr. Steggerda. We produced this on behalf of him. It was on his gmail. What  
4 I'm saying is when we start to get into more detailed concepts and proprietary fundraising  
5 techniques beyond what's in the document, I just want to pay attention to it.

6           Mr. [REDACTED]. Todd, I think we're going to be fine on this.

7           Mr. Steggerda. Okay.

8           BY MR. [REDACTED]:

9           Q     Is the kind of stuff they were doing here what color buttons to use, perhaps,  
10 what is better to place something, how best to like make a page, make a user interact  
11 with a page; is that what you're talking about?

12          A     Yes. Could be even background image. So, yes.

13          Q     Was this company involved with anything to do with fundraising emails or  
14 texts?

15          A     I don't believe so. I don't recall anything that they were involved in in the  
16 content creation or anything, but I don't believe so.

17          Q     Let me ask that a different way. One, would they have done any testing  
18 and optimization with regard to what a user looked at in an fundraising email? That's  
19 my first question, so let me ask you that.

20          A     I don't believe so, no.

21          Q     Now, if in a fundraising email, if somebody were to click into a fundraising  
22 email and wanted -- thought about donating, that would then take them to a landing  
23 page. Is that correct?

24          A     Yes.

25          Q     And those are the pages where there this testing and optimization was done.

1        Is that fair?

2            A     It -- yes. That is where it would be. Not every single page had a test on it.

3            Q     So do you -- this is dated December 16th, 2020.

4            So is it fair to say that testing optimization was going on on TMAGAC landing  
5        pages post-election?

6            A     I believe TMAGAC and the RNC landing pages. I don't know the specifics of  
7        the testing or the pages.

8            Q     Do you recall any discussions post-election regarding testing optimization as  
9        it related to TMAGAC emails or texts?

10          A     I don't remember conversations around -- in terms of -- I guess, in terms of  
11       what?

12          Q     Well, in looking at this email and some other things we received, it suggests  
13       that post-election, as happened pre-election, as is normal, as we understand it, in this  
14       industry, there was testing and optimization to make sure that you were being effective.  
15       You want to know -- the point of fundraising is to raise funds, right?

16          So what I'm just trying to confirm is that this seems to support that post-election  
17       the testing and optimization continued. I'm just asking you whether that's fair to say.

18          A     Yes. And this has been a vendor that was around before 2020, and I  
19       believe they're still around. Testing is a year-round process, so yes.

20                      BY MS [REDACTED]

21          Q     When you have the conversations with Blast -- let me back up a second.

22          Was it you that largely had conversations with Blast regarding what services they  
23       would provide?

24          A     I can't recall specific to Blast. I may have been brought in at the end when  
25       it was time for contracts. I don't know if I was in the negotiation process with this

1 specific vendor.

2 Q Well, the only reason I ask is because looking them up online, they're a team  
3 of digital marketing strategists, analytic specialists, user experience professionals, and  
4 business consultants.

5 So what I'm trying to figure out to Todd's point earlier is, with all due respect, isn't  
6 the proprietary aspect of this what Blast does? They do things for you that you hired  
7 them to do that's proprietary, but is anyone on your end doing anything other than asking  
8 them for testing and personalization, customer data platform support, analytics, tag  
9 management, and pixel support?

10 You're picking buckets of their services that you want, right? Because I'm trying  
11 to figure out where's the proprietary aspect of what the RNC does other than hire Blast?

12 A I'm not at lawyer, so I don't know if I can answer that in a way that you're  
13 looking for because I'm confused.

14 Q Without getting into the specifics to Todd's concern, are you aware of  
15 anything unique or that's specific data -- the input that you gave Blast -- this email says:  
16 We plan on invoicing you at the end of the month. For 2021, we have the following  
17 recommendations. Testing and personalization, and they have three tags of things.  
18 Customer data platform support, they have two recommendations. And analytics, tag  
19 management, and pixel support, they have one recommendation.

20 What I'm trying to figure out is other than telling Blast we want to order data on  
21 testing and personalization, customer data platform support, and analytics, tag  
22 management, and pixel support, other than ordering the buckets and agreeing on the  
23 number of hours per month, what is the proprietary -- like what is the RNC contributing  
24 to what Blast does? Isn't it Blast doing proprietary things that they provide to the RNC?

25 A Blast doesn't come up with the tests.

1 Q You come up with the tests at the RNC?

2 A I --

3 Q Not you individually. That was confusing.

4 The RNC comes up with the tests and tells Blast what they want to test?

5 A I believe that was majority of -- that the tests would come internally, and  
6 then Blast would help support and set up tests.

7 Q So that is actually helpful. Without getting into the actual tests, the ideas  
8 for the tests came from the RNC, and Blast just effectuated the request for which test to  
9 run?

10 A To the best of my knowledge, yes.

11 Q Okay. That's helpful to understand because it's hard to see that from the  
12 email. It looks like they're doing it all without a lot of input. So that's helpful.

13 BY MR. [REDACTED]:

14 Q Was there any other companies that were used for the same kind of testing  
15 optimization post-election? Or pre-election? Let's do 2020. Any companies you  
16 recall?

17 A I don't know if we had been using Optimizely in 2020. We had in the past.  
18 I don't know when we stopped or if we stopped using them, but that is a testing company  
19 as well.

20 Q And the name was Optimize?

21 A Optimizely. It was formed by Obama's former digital folks.

22 Ms. [REDACTED]. Is it the word "optimize" with an "ly" on the end?

23 Mr. Zambrano. Yes. With the "e" still in it and everything.

24 Ms. [REDACTED]. The word -- right. Optimize with the "e" at the end, add "ly."

25 Mr. Zambrano. No dash or anything but --

1 Ms. [REDACTED]. Got it.

2 Mr. [REDACTED]. You're really into having words --

3 Ms. [REDACTED]. I love our court reporters. It would drive me crazy.

4 Mr. Zambrano. Digital firms make dumb names.

5 Mr. [REDACTED]. You've got to stand out, right?

6 Are you okay breakwise? Do you want to take a break, or keep going?

7 Mr. Zambrano. I'm fine to keep going.

8 Ms. [REDACTED]. Really? I'm going to take a personal comfort break, but you guys roll  
9 through.

10 Mr. [REDACTED]. Let's take a 3-minute recess.

11 Mr. Zambrano. All right.

12 [Recess.]

13 BY MR. [REDACTED]:

14 Q Mr. Zambrano, we're gonna -- we saw your production multiple payments to  
15 Parscale Strategy. Do you recall what those payments were for?

16 A Those had been a continuation of payments that I believe began in 2017 or  
17 2018.

18 Q And what role was Parscale Strategy serving?

19 A Starting in 2017, post the election, he was consulting with the building on list  
20 growth, prospecting, video creation, content creation. Again, he helped a lot of  
21 different departments. So I can't speak to the full gambit of what he was doing, but a  
22 lot of those focused on the list building.

23 Q With regard to the approvals, I'm going to call it the approvals chain, the  
24 approvals list, the folks that received the fundraising emails and approved them.

25 Is it fair to say that was made up from folks from both the campaign and RNC for

1 TMAGAC emails?

2 A I believe so, yes.

3 Q And were you on that list serve?

4 A I would be -- there may have been at that point in 2017, 2018 different list  
5 serves, but I would have been on the GOP one.

6 Q Let's jump ahead to 2020. Where you there in 2020?

7 A I was on the approval chain, yes.

8 Q Okay. So when we see something like approvalslist@GOP.com, you're one  
9 of those folks?

10 A Yes, I believe I'm on there.

11 Q And tell us a bit about your understanding as to who else was on that email  
12 chain from the RNC list, start there.

13 A Richard Walters was on that list serve. Michael Ahrens the  
14 communications director. Cassie -- I can't --

15 Q Smedile --

16 A Okay. I'm sure you've heard it multiple ways. She was on that from the  
17 communications department. Mike Reed. Joe -- can't remember his last name, began  
18 with an "A" -- I believe was on there. There may have been political folks, others within  
19 Richard's staff, in the chairwoman's office. There were people from the digital  
20 department. I don't know the full extent there. Finance department, Sarah Robinson.  
21 Elise Dickens. I'm trying to recall if there were departments within the RNC. Oh, Jim  
22 Rally (ph) more than likely was on it.

23 Q Who's that?

24 A He ran the direct mail program for the RNC for decades, I believe, at this  
25 point.

1           Q    Okay. Anyone else you recall being on it?

2           A    There may be. I can't remember the specifics.

3           Q    What about, who did you recall being on it from the campaign?

4           A    I'm not sure if anyone direct from the campaign was on the GOP approval.

5           Q    Sorry. There's a campaign one as well.

6           A    Right. Oh, I thought you were asking who was on the GOP list serve from  
7         the campaign.

8           Q    I'm now asking on the campaign list serve, what knowledge did you have  
9         who was on that? I'm fully understanding that you're not with the campaign, but from  
10       your experience on the GOP side -- from the RNC side, what insight did you have with  
11       who was on the GOP side, the campaign side?

12          A    Not on the GOP one. That what was confusing to me.

13          Q    Yeah.

14          A    Yes. Got it. I believe the campaign manager, Bill Stepien. Tim  
15         Murtaugh, I believe, was the communications director. Zach Robinson I believe.

16          Q    Parkinson?

17          A    Yup. Thank you.

18          A    Justin -- can't remember his last name. I believe he was deputy to Bill Stepien.

19          Q    Justin Clark?

20          A    Yes.

21          Q    Okay.

22          A    I don't know where Gary Coby was on this chain. I believe he might have  
23         been on the campaign side. I'm sure --

24          Q    You understood him to be on one of them at least?

25          A    Yes. He was on the approval chain as well.

1           Mr. Steggerda. When you say approvals chain, does that mean that all of these  
2       people approved these fundraising emails?

3           Mr. [REDACTED]. No. That's my next question. Let's pause that.

4           BY MR. [REDACTED]:

5           Q     Let's finish who's literally on it, and then we'll get into active participation.

6           A     Michael Glassner may have been on it. I know at one point he was.

7           Again, people may have dropped off or on so I might be misremembering. But Lara  
8       Trump was on approval chains at times. But I don't recall the full extent of the  
9       campaign side.

10          Q     Now, let's talk about RNC side. It's obviously not a small list. Who did  
11       you recall being -- I'll ask two ways, and I'll let you pick which way, kind of folks -- did you  
12       remember someone else?

13          A     Pretty big -- the legal department of the RNC.

14          Q     And who's that?

15          A     Justin -- well, so that might have been a separate list serve of legal approvals  
16       @GOP.com, which would have I believe the entire legal staff so someone could be  
17       looking at this in case Justin Reimer may not have been able to.

18          Q     That would have included at least Justin Reimer?

19          A     Justin reamer. Matt Raymer.

20          Q     That's a different name you're saying?

21          A     Reimer and Raymer, yes. I believe there was a lawyer, Julia. I can't  
22       remember the full legal team.

23          Q     Julia, or was it Jenna?

24          A     Jenna. Yes.

25          Q     Jenna Kirsch?

1           A     Yes. There were other lawyers and other staff in that department that  
2     I -- there was I believe a Zach on there, who is not a lawyer, but he was -- I don't know  
3     what his official role was, but he was in the legal department as well.

4           Q     Any lawyers you remember weighing in on the Trump side that you didn't  
5     say?

6           A     Nathan Groth, I believe, who used to be an RNC lawyer.

7           Q     What about Alex Cannon? Do you remember that name?

8           A     Yes. I don't know if he was on the list serve, but I do know Alex Cannon.

9           Q     So now, let me ask you this: Who do you recall weighing in, like someone  
10    who's name -- not that you came to know that they were on it, but they were in the  
11    relevant time period of the year 2020 and then talk about post-election, an active  
12    participant, meaning, they actually gave an affirmative response?

13           So let's start there. On the GOP side, who did you understand to be the active  
14    participants in 2020?

15           A     Tier one, which would be we need to get these departments signoff to move  
16    forward would be legal, communications, and research department. So from there,  
17    legal, again, you have to ask them, but Justin Reimer, Raymer, Jenna. They would be  
18    approving from the legal aspect.

19           Q     Hold on. What I'm asking you is that, from your vantage point, who did you  
20    see or understand as being affirmatively involved? So even more specific than  
21    departments, an example being if I'm on the chain, and I always see Jenna is the one who  
22    you kind of get the followup email from that says: Hey guys, I have edits.

23           Or is it Justin or is it both sometimes? Versus there might be a person who know  
24    is on it, but you don't recall them ever replying and saying: I have edits.

25           A     Right. When I say Justin or Jenna, like those would be the people I would

1       be -- that we would be looking for from the legal department. Communications would  
2       be either Michael or Cassie. There were, I believe, other people on there. I can't  
3       recall. But I remember Cassie the most from the communications department.  
4       Research could be Mike Reed or Joe, I believe, but those were the names that would stick  
5       out to me from what I listed.

6           Q     And comms would be Cassie and who else you said?

7           A     Michael Ahrens.

8           Q     Okay. What's Joe's last name from research?

9           A     It begins begin was "A" -- Ascoti.

10          Q     Acotti?

11          A     A-s-c-i-o-t-i. Something along those lines.

12          Q     Okay, and what about on the Trump side? Who did you see as -- again,  
13        understanding that you don't work for the campaign, but who did you understand to be  
14        the folks that were the active participants?

15          A     I would say -- again, could be misremembering, but Nathan from the legal  
16        side, Zach. I don't know if Tim was on every single one, but I think Tim would reply.

17          Q     Now, what's your recollection -- did this remain consistent as far as you  
18        recall in the post-election, pre-January 6th period?

19          A     I believe so.

20          Q     Do you recall a time where you replied to the approval chain? Was that a  
21        thing that happened typically, or rare, you'd have to think about it if it happened even  
22        once?

23          A     It happened. I know I would have replied either asking people to re-up it  
24        for approval. If there were questions that I needed to give answers to, I would reply,  
25        but there were times I replied on that chain.

1           Q     So who did you understand to be -- I understand Julia Trent would be kind of  
2 managing from an administrative perspective the email going through the system.

3           Is that fair, the approval emails?

4           A     Yes.

5           Q     Okay. Now, from a more substantive perspective, who did you understand  
6 to be shepherding these emails through the process? Would that be Austin?

7           A     In what process, the approval chain that Julia sent?

8           Q     So, for example, if Jenna Kirsch responds on edits, right, Julia Trent is in a  
9 more administrative function.

10          Is that fair?

11          A     Yeah. She would track the edits in the source document.

12          Q     So she might make an edit, but if there were a question or someone had to  
13 ping someone or follow up, that would not be her role. Is that fair?

14          A     That would be correct, yes.

15          Q     Okay. So who's role would that be?

16          A     It could vary. It could be Austin replying. It could have been me replying.  
17 Gary Coby might have replied, but it varied, I guess, based on the questions. There were  
18 times when Sarah Robinson would have to reply.

19          Q     So is it fair to say that, if it varied based on the question, that the  
20 expectation would be that folks you kind talked about would need to stay engaged kind  
21 of generally speaking with the approval chain?

22          A     If there were questions directed at people, then yes.

23          Q     I mean, the point I'm making is that -- there are lists serve -- sometimes one  
24 is on, and you just literally do not read what happens on them because just someone  
25 would have to firmly come and get you. And there's lists serve you're on that it's kind of

1       in your wheelhouse to kind of know what's going on because someone like does, "Hey,  
2       Kevin," you need to show response.

3           Is it fair to say for Austin and for you, that you were more in the latter category,  
4       where you were keeping an eye on the approvals as they were going through?

5           A     I wouldn't be as granular in the day-to-day unless I needed to be involved,  
6       and I might not even notice that. Julia might have to ping me or something or come  
7       bring it to my attention. There were multiple approval chains a day, so the people who  
8       were in charge of approving, they would be the ones who would be looking for that  
9       standardized format of what the subject line would look like so they know this is what  
10      they need to be looking at.

11          Q     What about from your team, though? Would that then be Austin? If you  
12       weren't looking on a day-to-day basis, did you understand Austin was?

13          A     I was looking at the approval chains. I may not be reading the entirety of it.  
14       I would say I don't know if I ever instructed anyone to be in charge of it, but Julia was the  
15       one who if there were questions that were out of her wheelhouse would more than likely  
16       bring it to the attention of Austin, myself or Gary.

17          Q     I just want to ask a final question: Did you have an understanding as  
18       who -- this is not meant to be like -- no question is meant to be a trick question, but if I  
19       just clarify that -- was it your understanding that Austin was reviewing these approval  
20       chains, or that he wasn't?

21          A     As I said, Austin would have reviewed all the content before it would go up  
22       to the approval chains or Hannah.

23          Q     Okay.

24          Mr. Steggerda. Did you view it as Austin or Hannah's job to monitor the actual  
25       approval chain and all the comments, or did you feel like Julia had that role and then they

1       would bring it to people's attention if there was an issue that required them? That's  
2       what he's trying to I think better understand.

3           Mr. Zambrano. Yes. I would see it more as Julia bringing in any pertinent  
4       questions to people who needed to be pinged.

5           BY MR. [REDACTED]:

6           Q     But you understood that before things got on the approval chain, that it  
7       would have been funneled through -- generally speaking through Austin?

8           A     Yes. I would believe that would be the way it would have worked.

9           Q     So let's -- and that would have stayed true post-election?

10          A     I believe so.

11          Q     Yes. All right. So let's hop ahead to -- we're getting to November 2020  
12       now. And the election day's coming.

13          Were there discussions you had leading up to election day about an expectation  
14       that the election would not be called on election night?

15          A     General conversations in the RNC from the political -- I would look more to  
16       the political department than anything. And they were saying that it would not be  
17       called on election night way before November.

18          Q     Yeah. Because that's what I recall, that generally people, folks, talked  
19       because of use of mail-in ballots and whatnot, that it would not be a traditional election  
20       where --

21          A     Expectations had to be managed.

22          Q     Right. And also some States wouldn't start counting absentee ballots and  
23       mail-in ballots until after election day, right? So then those States would even be slower  
24       because it could be millions of votes that have to be counted after the election was over  
25       as opposed to counting leading up. Is that fair?

1           A    Yes.

2           Q    So the understanding that you had going into election day was that the  
3        election would not be called that night, that was your expectation. Is that fair?

4           A    I would say, yes.

5           Q    Okay. What was your understanding as to how the digital team, specifically  
6        the fundraising team, was preparing for the post-election period?

7           A    Again, I don't remember specific conversations around it. I'm sure there  
8        were multiple plans, as it is in most races: win, lose, draw, unknown. You could be  
9        drafting content for any scenario. Similar to Supreme Court cases or anything, we would  
10      have different plans ready to go.

11          Q    So that's pretty normal in your line of work. Is that fair?

12          A    Yes. Digital needs to be quick.

13          Q    Quick. Did you -- do you recall discussions as to in this election what  
14      preparations were made?

15          A    I don't recall discussions that I had. I may be misremembering but I don't.

16          Q    Do you recall discussions about whether to, in fact, continue fundraising  
17      after election day?

18          A    I don't know if there was a directive to continue or not, but the case, even  
19      after 2016, is you're ready for whatever comes the next day.

20          Q    Well, I guess what I'm trying to understand, though, is going up to election  
21      day -- if election day's November 3rd, if I were to look at November 2nd and  
22      November 3rd and get a sense of what was the RNC was doing, is that a question you  
23      could answer, or is that a question Austin could answer as it pertains to email  
24      fundraising?

25          A    Again, I wasn't in the day-to-day setting the schedule or anything. I know,

1 leading up to the election day, we would be fundraising heavily and focusing on get out to  
2 vote, and it would not be out of realm of possibility to continue fundraising after election  
3 day.

4 Q Normally, you wouldn't keep fundraising -- as far as a committee, though,  
5 normally if an election was called on election day, you wouldn't keep fundraising full  
6 speed ahead the next day. Is that fair?

7 A I've never -- this was my first JFC I'd been working on. So I don't know.

8 Q But you worked prior elections. Elections don't fund-raise when they're  
9 done. Is that fair?

10 A But on election night, it wasn't done so.

11 Q That's what I'm saying, that in a typical election, it's not -- the expectation is  
12 that you would not continue fundraising in a typical election?

13 A Perhaps in the way that we were on election day, but I mean the RNC would  
14 continue to fund-raise I would I imagine.

15 Q Yeah. But I'm talk about the joint fundraising committee, which is about  
16 the Presidential election, not RNC from its broader mandate, right? You're in an  
17 election. You win, you lose. You stop fundraising typically when the election is  
18 actually called. Is that fair?

19 A In a general sense, yes, I would agree.

20 Q So here, with this added wrinkle of the election not being called, would the  
21 decision whether or not to continue fundraising, is that something that would have been  
22 made in the Gary Coby chain of command or just something that the RNC was involved in,  
23 or do you not recall either way?

24 A Both sides would have to sign off on it I would imagine. So both the RNC  
25 and the campaign would have to make the decision, and again, that was not my call, not

1 even I would say Austin's call, to continue. We would need to get green light from the  
2 higher ups in the campaign and the RNC.

3 Q When you say higher ups, who are you talking about?

4 A Specifically, I would look towards Richard Walters on the RNC. On the  
5 campaign side, I don't know who would make that call.

6 Q Do you recall any discussions about whether or not to continue fundraising  
7 and deciding that?

8 A I don't recall any specific guidance or direction, yeah, that I can remember.  
9 No.

10 Q Do you recall discussions prior to election day or earlier about preparing to  
11 make accusations that the Democrats were trying to steal the election?

12 A I don't recall specific conversations. I believe, at that point, the President  
13 was tweeting, even before the election, with similar messaging.

14 Q And is the reason you highlight he was tweeting that, is that by virtue of him  
15 tweeting that, you would expect the TMAGAC messaging to reflect the substance and  
16 tone of those tweets?

17 A They could, but again, it's the source material of the President coming into  
18 the fundraising fold and again, going through the approval process.

19 Q Understanding all that. But as, you know, we've talked in our last  
20 interview, of course, these emails went out that said the Democrats are trying to steal the  
21 election.

22 So what I'm trying to connect is that are you suggesting or just saying that, right, if  
23 the President was tweeting it and saying it, that's kind of how we get from tweet to email  
24 going out saying the Democrats are trying to steal the election?

25 A The President of United States issuing statements in messaging, that

1        warrants copy being drafted. That doesn't ultimately guarantee it goes out. That's  
2        what the approval process is for.

3            Mr. Steggerda. I think what he was saying was some of that messaging that  
4        you're referencing, I think he said that had been out there for a while. It wasn't a  
5        creature of November 3rd I think is what he was responding to.

6            BY MR. [REDACTED] :

7            Q     Do you remember any prep work done regarding messaging for different  
8        possibilities?

9            A     I don't recall, but I could be forgetting something. I wouldn't be surprised if  
10        there were even just templates of emails or anything that we could quickly build out if  
11        necessary.

12            Q     And is that -- is it fair to say that's because that was more Austin's  
13        wheelhouse as far as if there was someone in charge of preparing copy and whatnot,  
14        would that be something Austin would have done?

15            A     Austin could have. I'm not sure if people on the campaign instructed  
16        anyone else on the campaign or anything, but I wouldn't be surprised if there were a  
17        couple different scenarios floating around most people's heads on that.

18            Q     But do you remember anything about those scenarios?

19            A     I don't recall specific -- I don't recall conversations around it, other than  
20        there may have just been general we need to be ready for whatever may come.

21            Q     And I say this for your benefit to clarify the record, when you say there may  
22        have been, are you recalling or just saying that it would have been possible?

23            A     It would have been a real possibility to have a conversation about it.

24            Q     And if there was -- if there were discussions of that sort, would you have  
25        been -- would that have been a directive that would have come from somewhere

1       or -- what I'm trying to understand is that and we'll look at, like, emails happen -- pretty  
2       much immediately after the election, there are emails going out saying the Democrats are  
3       trying to steal the election. So I'm trying to understand if you have any knowledge  
4       about plans to go forward with that sort of messaging immediately after the election.

5                  Do you have any insight into the planning that came with your -- concerning that?

6                  A      I don't believe I had conversations around that that I can recall.

7                  Q      And would it surprise you if Austin and his team had prepared copy that said,  
8       prior to the election even ending, that Democrats were trying to steal the election, would  
9       that be a surprising thing?

10                 A      No, because, again, the President had been messaging around -- that is  
11       typical messaging around a lot of elections, not just 2020. So it's not the first time I'd  
12       even heard messaging similar to that so.

13                 Q      So you're saying, in your experience, it was typical for the candidate leading  
14       into the election saying the other candidate was going to try to steal the election?

15                 A      I wouldn't phrase it like that.

16                 Q      How would you phrase it?

17                 A      That election integrity, voter irregularities, that is not a new thing that I've  
18       heard in the past decade.

19                 Q      But that's not what the emails say, right? The emails say the Democrats  
20       are trying to steal the election. I'm using almost verbatim language from the emails.  
21       So I think I would separate out election integrity and what I'm saying.

22                 But you're saying Democrats are trying to steal election, is that typical language in  
23       you experience leading up to an election and planning around that kind of language?

24                 A      I want to be clear, I'm not saying the Democrats are trying to steal. That  
25       was the President's phrasing in the messaging that the team was sourcing from.

1           So, again, so stolen election has been used in other elections. So it's not the first  
2 time I had heard that.

3           Q     Can you give me an example of something that's similar that you've heard  
4 leading up to an election where one party or one candidate says the other one is trying to  
5 steal the election?

6           A     I'm not certain about leading up to an election or post-election, but I've  
7 heard stolen election before.

8           Q     I know there -- I just want to clarify just for the record. It suggested you  
9 were saying that the language we're seeing in these emails was not atypical.

10          Is that what you're saying, or are you saying something else? Are you talking  
11 about election integrity as a broader idea has shown up in prior elections?

12          A     I would say election integrity in a broader sense. Again, I have heard stolen  
13 election before in other cycles. But, again, this was the President's messaging and his  
14 phrasing.

15          Q     Uh-huh. Leading up to -- one thing we're trying to clarify in our work here,  
16 which -- speaking with you and speaking with others seems clear is that the fundraising  
17 team's goal here, besides the obvious of being effective at fundraising, was to take the  
18 tone and messaging from the President and distill that into fundraising emails that were  
19 effective, right? And the fundraising's team's job was not to -- was not to correct -- was  
20 not to analyze the President of the United States' words for or his messaging for whether  
21 they thought they were accurate or appropriate; it was to try to use his messaging to be  
22 effective at fundraising, and that the approvals chain was there to ensure that whatever  
23 those respective groups thought was appropriate from the legal, comms, or research  
24 perspective, that they would serve as kind of guardrails to this fundraising effort.

25          Is that fair what I just said?

1           A    For the past decade, I would say that has been the case.

2           Q    Yeah. And that remained true when we get to this 2020 election and  
3 post-election, it's taking what the candidate, President Trump, is saying; putting it into  
4 emails that are written to be effective for small donors; and if the approvals chain has an  
5 issue, they'll say it; if not, then it's fine. Is that fair?

6           A    I would say the President, legal team, surrogates, you know, I would -- broad  
7 potential sources of messaging, but, yes. All of the material that was sent out, to the  
8 best of my knowledge, was sourced. And then, again, drafted and then sent through the  
9 approval process where edits could be made.

10          Q    And when you say sourced, it means someone else said it. It doesn't mean  
11 source as in verified. It means there's a source that said what the messaging -- said that  
12 thing in email. Is that fair?

13          A    Yes. I don't believe that the fundraising team was creating this. They  
14 were sourcing this content from the President of the United States, the family,  
15 surrogates.

16          Q    And, for example, if I -- we look at an email now that says the Democrats are  
17 trying to steal the election, is it fair to say it was your understanding that Austin or  
18 Hannah were not confirming whether that was true; they were just taking President  
19 Trump's words and putting it as an effective fundraising email. Is that fair?

20          A    Yes. They were sourcing from the President's words. And, again, the past  
21 decade I've never -- I've never been viewed as analyzing the candidate, the source, the  
22 messaging that the candidate himself is putting out that had -- I've never seen that in my  
23 role.

24          Q    Because, yeah, that's kind of -- is it fair to say that's kind of outside the scope  
25 of your responsibilities? It's not your job to tell the candidate that his messaging is right,

1 wrong, accurate, inaccurate. It's your job to use that messaging effectively to raise  
2 money digitally. Is that fair?

3 A I would say use the messaging to draft content. Again, I want to just  
4 reiterate the approval process because each department touches on the overall. So this  
5 is why there are approval processes on any campaign or entity. So it doesn't just live  
6 with a department.

7 Q Is it fair to say that, if the approval chain comes back with edits -- because it  
8 sounds like -- you've multiple times now kind of highlighted the importance of the  
9 approval chain, is it fair to say that, when they come back with edits, that those -- that  
10 folks in your position take those seriously?

11 A I would say yes.

12 Q And, in your experience, because you've done this and we've never done  
13 this, if the approval chain comes back multiple times on similar subject matter or similar  
14 edits, is it fair to say that makes those edits even more important?

15 A It could. Again, we are humans who make mistakes and maybe not have  
16 seen: Oh, hey, don't use this anymore.

17 I -- at different various roles, there had been copy and paste any generic edit so  
18 it's a dos and don'ts, but again we're humans. We make mistakes. So it could have  
19 been things that were missed. So multiple edits could be made.

20 BY MS. [REDACTED]:

21 Q Can I ask you a question? Sitting here today, understanding that you read  
22 hundreds, maybe thousands of draft fundraising emails, sitting here today, can you  
23 remember reading one specifically for the 2020 election campaign -- I'll ask you about the  
24 2016 one separately, but for the 2020 election, sitting here today, can you ever  
25 remember seeing a draft fundraising email where you had cause to concern that what

1 was in it was not correct?

2 A Again, I would say that any content that would have been drafted would  
3 have been sourced back to the President, back to the legal team, which I was not involved  
4 in 2020 in the early draft processes on copy.

5 Q No. No. That's not what I mean. Let me be even more specific.

6 If I understood the process, there's draft copy, right, that comes up from the  
7 Hannahs, the Austins, and then presumably you see it, right? And my understanding is  
8 this is before the approvals process has looked at it. They may have grabbed a headline  
9 from a news article, or they may have grabbed something the President said. Am I right  
10 so far?

11 A I might not have seen every single piece of content before it went onto an  
12 approval chain.

13 Q Okay. I'm talking about the ones that you did.

14 So far, am I right in saying that to the extent you saw an email, it would have come  
15 up from a digital fundraising team under Austin, correct?

16 A In the generic one that I saw, I don't recall a lot of ones that were flagged  
17 directly for me before approval. I'm sure they were. But if Austin sent it to me, yes.

18 Q I guess -- all right. Well, I'm not trying to trick you. What I'm saying is I  
19 understand you were copied on tons of emails that had copy that you may or may not  
20 have reviewed because you may or may not have been essential to some of these  
21 approval processes.

22 What I'm asking you is my understanding is that, whether you looked at them or  
23 not, you were copied on a lot, hundreds maybe, of these fundraising emails. To the  
24 extent that you reviewed them, sitting here today, do you ever remember having the  
25 reaction or thinking to yourself when you read it, "Well, I don't know if that's right"?

1           Like, sitting here, do you ever remember feeling cause for concern that something  
2       in those fundraising emails might not have been correct, maybe the tone -- something  
3       that raised a flag for you before it went to the approvals process? Do you understand  
4       what I'm asking?

5           A     Yes. But I don't believe I saw every piece of content before it went to the  
6       approvals process.

7           Mr. Steggerda. No. But do you remember during that kind of post-election  
8       period seeing something that the team had written where you engaged on it and thought  
9       and remembered that "I don't think that that's right," or you just don't remember?

10          Ms. [REDACTED]. Let me be clear.

11           BY MS. [REDACTED]:

12          Q     Yes. I'm not asking even engagement.

13          I'm literally asking you here, sitting here today, everything Todd just said, but do  
14       you remember ever just seeing an email that the digital fundraising team sent, copied you  
15       on, sending to the approvals process, can you ever remember the feeling of reading any  
16       of the emails that you were copied on and thinking "I don't know if that's right" or "I don't  
17       that's a tone I want to take," having any concerns before it went to the approval process  
18       when you saw it? Does that make sense?

19          A     I don't recall specific, again, because it was sourced back to the President. I  
20       was uncertain post-election period what the world was looking like, what all was going on  
21       in terms of voting. I can't recall a specific one. There may have been, but I don't  
22       remember. Again, when you say hundreds, like, thousands and up were probably much  
23       more accurate in the amount of content that was produced.

24          Q     And that's fair. And I'm not asking you for a specific one. What I'm asking  
25       you to be specific about is the feeling.

1           I'm asking, sitting here, can you ever remember feeling, for lack of a better term,  
2       hanked up or hanky about an email that you saw sitting there thinking, "Oh, not sure if  
3       this one's true," "Oh, tone"? Do you remember personally ever having a concern about  
4       an email before it went through approval process at the time that you reviewed it?

5           A     Again, at this point, I probably wasn't reviewing the emails before they went  
6       to approval process. I'm sure there have been emails across my entire career where the  
7       tone might have been different, but it was the messaging coming from the candidate  
8       themselves, the sourced material. So it might not be the phrasing I would have used or  
9       it might not have been as direct. But, again, the messaging was coming from the  
10      candidate, legal team, and the family so.

11           Q     So is it fair to say that -- because my understanding is, above Austin, there's  
12      nobody else at the RNC other than the legal, comms -- but let me rephrase this.

13           What did you see your role as, then, being above Austin, getting those emails at  
14      the same time that they were going through the approval process? Was it like a for your  
15      situational awareness, or did you think your input was being solicited in any way?

16           A     On the approval chains, I did not need to approve them. Again, the  
17      approval process could shut down anything. Richard Walters replied all not to send  
18      things I'm sure over the 5 years I was there. But, again, it did not live or die with me.

19           Q     Oh, no. That's abundantly clear. I guess what I'm saying is the way you're  
20      describing this -- and I don't mean this to be rude -- you're describing yourself completely  
21      superfluous to the approval process, almost like a copy, you know, FYI. They're sending  
22      them to you for a reason, I thought. But did you serve no role -- it sounds like you're  
23      saying you served no functional role in the approval process?

24           A     I would chase down approvals if necessary. I would answer any questions  
25      that were asked, but I removed myself on the day-to-day approval after the 2018-cycle.

1 I did it all back then.

2 Q Okay. So, when Austin copies you on these emails, is it looping you in in  
3 the event that somebody needs to later on hunt it down is? Is that your understanding  
4 of why you're being copied on these emails?

5 A What emails are you referring to from Austin?

6 BY MR. [REDACTED]:

7 Q She's asking when you're included on the approvals@gop --

8 A From Julia.

9 Q From Julia.

10 A Yes.

11 Q Right. Because the emails go up, Austin takes them from Hannah, approves  
12 them, and then Julia takes them, and that's sent out to list we're talking about, which  
13 includes your name?

14 A Uh-huh.

15 Q That's what she's talking about.

16 Mr. Steggerda. Why were you on that list, from your perspective?

17 Mr. Zambrano. Again, answer questions, reply or track down approvals, if  
18 necessary. Again, like, I removed myself after the 2018 from the day-to-day, and Austin  
19 had taken over that. And I was on that approval chain much like most of the people on  
20 there. If I needed to weigh in, I would.

21 BY MS. [REDACTED]:

22 Q So who is your understanding -- what was your understanding of who were  
23 the people on the approval list who actually had to approve for it go to forward?

24 A The legal department, the communications department, the research  
25 department on the RNC, and I believe the same on the campaign side.

1           Q     Understanding that there's apparently some people who are in there who  
2     may be on the list but aren't actually essential to approval, who are the actual names in  
3     those departments, because presumably not everybody in the legal department, not  
4     everybody in comms had to sign off, right?

5           A     Yeah. And I had told --

6                         BY MR. [REDACTED]:

7           Q     From legal, you're saying Jenna Kirsch and then Austin, Justin Riemer?

8           A     I would say those would be the main two. Again, lawyers like to tap in for  
9     each other and take over approvals, if necessary.

10          Q     And then from comms, Cassie Smedile, S-M-E-D-I-L-E and then Mike Ahrens?

11          A     Michael.

12          Q     Michael Ahrens. And then from research, Mike Reed and Joe, I think  
13     Asccoti (ph), but Joe A?

14          A     Joe A. Yes. Those would be the ones -- predominantly, those would be  
15     the names from the RNC.

16          Mr. Steggerda. Is it your understanding that a fundraising email couldn't go out  
17     unless it had someone from research, comms, and legal giving the approval for the email.

18          Mr. Zambrano. Correct. And I mean, there are going to be times when Cassie's  
19     on Fox and Ahrens is with the chairwoman, so there could have been someone else from  
20     comms department to sign off on it. But that was on them to create the contingency  
21     plans on "I'm out, this is who is going to be" --

22          Mr. Steggerda. Do you remember that it required all of the people from those  
23     departments to approve --

24          Mr. Zambrano. Yes.

25          Mr. Steggerda. -- or was it just you needed a signoff from an individual from that

1 department?

2 Mr. Zambrano. With a rare exception, maybe, I believe all three departments  
3 from the RNC side would have to sign off, yes.

4 Mr. Aganga-Williams. From one rep --

5 Mr. Steggerda. Within that department. So comms, for example, if there were  
6 multiple comms people, you mentioned a few names --

7 Mr. Zambrano. We're looking for one of --

8 Mr. Steggerda. You're looking for whoever is the comms person for that email,  
9 and you recall having one signoff. Is that how it worked?

10 Mr. Zambrano. If Cassie said approved, that was comms approval. If Ahrens  
11 approved, still comms approval.

12 BY MS. [REDACTED] :

13 Q And I want to ask you a question now that is going to seem odd, and it's not  
14 meant to be legal, and it's not meant to be judgmental. This is just your personal  
15 opinion because you were present for this, which makes you factually relevant to our  
16 investigation of the facts of everything that happened.

17 When you were reading the emails, in your mind, putting aside your responsibility  
18 as your role at the RNC, were there any other outside considerations that you ever  
19 thought in terms of -- and I'm gonna use this term loosely -- the ethical considerations  
20 of -- as somebody sending out millions of emails to recipients? Not just what could we  
21 say in a fundraising email, but was there ever any thought of what should we say in an  
22 fundraising email?

23 A I would take -- I was not sending out emails. I did not send out millions of  
24 emails. I want to be clear. I was not the one hitting send on any of the emails.

25 Again, throughout my entire career, I'm sure there were times when the content

1 would not have been the way I would have written it or phrased it. There are times  
2 when you purposefully make mistakes in copy because it, you know, performs better.  
3 Again, when sourcing from the candidate himself, drafting it and going through the  
4 approval process, like I mentioned, the phrasing might not be what I would have used or  
5 what I would have put out, but it's not me putting it out so.

6 Q That's helpful. I don't want to put words in your mouth. What I'm trying  
7 to get is kind of the feel. I know you said, "I'm not the one hitting send on the emails,"  
8 but you're supervising the person who ostensibly is, right, to a certain extent.

9 What I'm trying to get a feel for is we've had witnesses say: That wasn't my job.  
10 My job wasn't to worry about truth. My job wasn't to worry about accuracy. My job  
11 was to raise money, so, no, I didn't think about any of that because that wasn't my job.

12 Would you agree with that person, or would you disagree with that person as it  
13 came to how you perceived your role in digital fundraising?

14 A I don't know the people who you were speaking about or what they said or  
15 what their roles were.

16 Q No. No. What I just said to you. That statement, take out who they  
17 were; I'm just saying, in your role, understanding that other people may have been doing  
18 it. You may have been supervising them. Maybe you're not hitting the send button,  
19 but you are seeing or you're getting these emails. Maybe you're not getting all of them,  
20 but you're getting I think you said thousands of emails that you don't have to approve but  
21 that you're seeing.

22 And all I'm trying to get from your perspective of somebody who is in that role is,  
23 did you ever even remotely perceive that part of your role was to think about whether  
24 you should send something out versus whether you could send something out?

25 A I'm sure it was a consideration. I'm trying to recall a specific time. I can't

1       on the spot right now. Again, I would say the words -- what were the words you used,  
2       truth and --

3           Q     Well, it could be a lot of things so I don't want to limit you or pin you in. It  
4       could be truth that concerned you. It could be tone. I guess, the impression that I've  
5       gotten, and correct me if this is wrong, is that all of the people involved in the process of  
6       digital fundraising completely relied on the approvals process.

7           If comms, if legal, if research said it was okay, that was all they cared about  
8       because their job was to raise money. They knew what raised money effectively. They  
9       knew the red meat to send. They knew the red meat to throw. They knew the colors  
10      to use, the images to use. They knew the proprietary secret sauce of how to raise  
11      money, and their job was not to worry about truth. It was not to worry about tone. It  
12      was not to worry about what the approvals process was supposed to handle. Their job  
13      was to raise money. It was not their job to ever think about what should be sent. It  
14      was their job to think about what could be sent and what would raise the most money.

15           And I'm just trying to see if you perceived yourself that way or if you perceived  
16      yourself differently?

17           A     I perceived us putting out what we believed at the time to be accurate,  
18       based on the approval process and based on the sourcing of the material. In the time, I  
19       don't recall, in the day-to-day cluster that was post-2020 election day, but I believe that  
20      myself, my team, we were sourcing and putting into approvals what we were drafting  
21      based on the sourced material outside of the department.

22           Q     And when that source was the President of the United States, and he had  
23       been proven to play a little fast and lightly with the truth in the past and you had entire  
24       websites dedicated to checking what he said and saying a lot of this is not accurate, did  
25       you ever have concerns when the sourcing was directly from the President without

1 outside corroboration?

2           A Again, the President issuing statements or tweets would be the genesis of  
3 the copy that would then go into the approval process for edits, for checks. That is why  
4 the approval process worked. And there were times when I'm sure when the  
5 President's words were altered -- not altered, but his tweets don't fit perfectly into a  
6 fundraising email or something. So we may have had to strike a word or something. I  
7 don't recall specifics, but there were times when copy had to be edited by approval chain.

8           Q Oh. No. No. No. I want to be very clear. I'm not talking about the  
9 President says ABC, and due to space, you can't put it in, so they put AB, and approval  
10 says there was a C.

11           I'm talking about when the President would lie and tell untruths in his tweets, and  
12 then those were put into emails but because the President said it, it might get through  
13 the approvals process even if it was factually untrue. And what I'm asking is, given how  
14 often media, websites, think tanks, people around the world were saying that the  
15 President frequently lies in his tweets, what I'm saying is, when you sole-sourced your  
16 messaging from the President, did you ever have any concerns that it wasn't true, or did  
17 you just rely on the approvals process and say, if it's a lie, they'll catch it?

1

2 [12:11 p.m.]

3           Mr. Zambrano. I would say that he was a sitting President of the United States,  
4 and what he is putting out is on behalf of that office and of himself. So, again, I don't  
5 know what he is fully working with, what information he has that I'm never going to have  
6 access to. And, again, I'm not speaking for the team, but they might be offering him the  
7 same situation that this is what the President is putting out, that's what is the President  
8 of the United States draft around that, and again, the approval process with the  
9 communication messaging, the research department, and the legal department.

10           BY MS. [REDACTED]:

11           Q It sounds like what you're saying is that you assume that the President said  
12 it, it must be true. Is that right or wrong?

13           A Again, in the moment, I don't know.

14           Q No, I'm just asking your personal opinion. When you read his  
15 tweet -- because a moment ago you said, well, he might have access to all this other  
16 information that I don't know. But there were some things on its face that some people  
17 could tell that's unlikely untrue. And what I'm asking is, personally, when you saw those  
18 tweets, did you assume that because the President of the United States was saying  
19 something, that it must be true?

20           A I don't know if I would classify it as that. I would say that the material was  
21 sourced. The material --

22           Q What material?

23           A Our fundraising material was sourced from the tweets or surrogates or  
24 anything. I -- is it --

25           Q Sourced beyond the President's tweet, is that what you're saying? So

1 somebody independently corroborated what the President was saying?

2 Mr. Steggerda. No, he is saying sourced from the President or surrogate or  
3 family member. When he uses the word "source," that's what you mean.

4 BY MS. [REDACTED]

5 Q Right. I want to be clear because usually when people say you're using  
6 sourced, and I'm hearing more like corroborated, but that's different. When you say  
7 that it was sourced from the President, I got the impression that you weren't just literally  
8 copying and taking his tweets and putting them in fundraising emails a lot of times, not  
9 always, but a lot of times you were just taking the tweet and it was approvals' job to  
10 check and see whether it was, in fact, truth or fiction. And what I was trying to ask you  
11 is when you and your team were pulling -- Austin and the team, you supervising  
12 Austin -- when you were pulling those tweets directly from the President, did you ever  
13 have concerns that what he was saying was not true, or did you just think if that's not  
14 true, approvals will catch it?

15 A Again, I wasn't drafting and pulling the tweets for the specific drafts. So  
16 you'll have to ask the copywriters there. I would say an approvals process exists for a  
17 reason, because one department should not be the final say over what goes out from a  
18 campaign or an entity or committee as a whole. Again, the phrasing language might not  
19 have been how I would have said it or anything, but that's how the President stated it.

20 Q And let me ask you to take just a step back -- and I know this is going to be  
21 hard -- but take off your digital fundraising politics hat for just one second. Just as a  
22 citizen, do you think truth in digital fundraising should matter even if it's coming from the  
23 President, even if it's a falsity coming from the President, do you think we should have to  
24 tell people the truth in digital fundraising emails, both parties? This is just a straight up.  
25 Do you think people are entitled to the truth when being sent fundraising emails that are

1 political fundraising emails?

2 A I would say, yes, to the extent of verifying the truth, or what both sides could  
3 see as a truth. I would say yes, but there would have to be caveats to that. It's not  
4 as --

5 Q This is super helpful. What are the caveats that you think are there to truth  
6 in political digital fundraising?

7 A I think there are -- again, I don't know the specifics. I don't debate politics.  
8 Like, you know, I work in politics. I don't live in politics or anything. But both sides  
9 could see a statistic and see it as a way to prove their truth. So I think it's tough to say  
10 that there is one overarching truth because I believe both sides could use something to  
11 fundraise and say it's their truth.

12 Q Do you think that there's any responsibility, on either side, not that -- I want  
13 you to understand like I'm not asking rhetorically, I'm asking for both: Do you think  
14 there should be any responsibility for the people sending out the fundraising emails for  
15 what should be said versus what could be said? Because those are two very different  
16 things, in my mind.

17 A Again, with caveats, I could -- I could agree with you. But I'm sure I have  
18 said when I was sending emails, I am sure I sent things that might not be the tone that I  
19 would want. But it's the tone of the candidate. It's the tone that is approved. The  
20 communications department is okay with it. It may have been brought up. It may  
21 have been changed. I would say "should" and "could" should be the same thing in a  
22 perfect world, you know.

23 Q No, that's super helpful. I didn't mean to get us off track. Apologies.  
24 Todd, are we okay in your lunch situation?

25 Mr. Steggerda. Yeah. Do we got a ways to go, do you think?

1           Mr. ██████████. Are you asking whether to keep pushing or?

2           Mr. Steggerda. Just, yeah, I'm just trying to assess time.

3           Mr. ██████████. We're kind of go March through November and  
4 December.

5           Mr. Steggerda. Yeah.

6           Mr. ██████████. December through March. I will defer to you guys  
7 whether you want to take a break. We're happy to keep going. We can go a little  
8 more and see where we are.

9           Mr. Steggerda. Yeah. Maybe, could we do like a quick 10? I know we've  
10 been going for a couple of hours. It might help to just at least take 10. Does that work  
11 for you?

12          Mr. ██████████. We're happy to accommodate.

13          Mr. Steggerda. I've got to use the bathroom again, and give the witness a little  
14 break here.

15          Mr. ██████████. We're going to go into recess.

16          Mr. Steggerda. Okay. Thank you.

17          [Recess.]

18          BY MR. ██████████:

19          Q     All right. Mr. Zambrano, I am going to actually point you towards exhibit 3.  
20         We'll actually skip to exhibit 2 and go to 3. So here is an email from November 4th.  
21         It's kind of the email we've been talking about. The kind of email. It's from President  
22         Trump, and it says, Despite the numbers of very obviously in favor of your President, in all  
23         caps, THE DEMOCRATS WILL TRY TO STEAL THIS ELECTION. Do you recall messages like  
24         this going out to TMAGAC?

25          A     Yes.

1           Q     Okay. And is it fair to say this is the kind of message that you understood  
2 to be capturing the President's tone and messaging for fundraising purposes?

3           A     I would say so, yes.

4           Q     Now Ms. [REDACTED] earlier asked you questions about kind of analyzing these  
5 messages and the role of truth and accuracy. Did you understand as far as from the  
6 Austin-Hannah, RNC digital fundraising team, did you understand that when they wrote  
7 an email like this, they weren't analyzing whether or not it was, in fact, true that the  
8 Democrats will try to steal this election? Is that fair?

9           A     I am not going to speak for Hannah or Austin. I'm not sure if Hannah or  
10 Austin wrote this email, if they edited it final or something, if another copywriter wrote it.  
11 So I don't know the specifics here, I don't recall on that. But, generally, what was the  
12 question?

13          Q     Well, I'm asking more broadly, right? And this is a TMAGAC email. So it's  
14 fair to say that when we have a TMAGAC email coming around, coming through the  
15 approval chains that we can infer, typically, either Hannah or Austin would have reviewed  
16 that email?

17          A     Right. Review and write -- I would say different but, yes.

18          Q     Fair. But I would say the reviewer was more important. The reviewer  
19 from this vantage point is the ultimate -- is the last person to kind of touch it, fair?

20          A     Correct.

21          Q     So what I'm asking, though, is the accuracy question regarding an email like  
22 this, is this the kind of thing that President Trump says it, for example, it's not the role of  
23 the digital fundraising team to question his assertions about fundamental campaign  
24 messaging like this. Is that fair?

25          A     I would say that even if the President just says something doesn't give us

1       carte blanche to hit send on it. I think it warrants copy being drafted and again go  
2       through the approval process. I believe -- again, I don't want to speak for Hannah or  
3       Austin -- but sourcing this material back to President Trump is the genesis of this email.  
4       I don't recall the specifics around this or anything other than it was coming from  
5       President Trump. I can't speak to Hannah and Austin on what they were doing with the  
6       source of the information.

7           Q     And to be clear, when you say "sourcing," just so the record is clear, you just  
8       mean that they got it from President Trump, not that there was any level of verification or  
9       otherwise corroboration, correct?

10          A     They were not the genesis of the content because it was coming from  
11       President Trump, correct.

12          Q     So, yeah, and we fully appreciate that then. And you can look at President  
13       Trump's public statement and find consistent messaging. So we fully understand and  
14       not -- we're not suggesting that the RNC digital team is coming up with President Trump's  
15       messaging. It's very clear that President Trump drove his own messaging. So I think  
16       the record is clear on that front. So let's go to November. This is November 4th, this  
17       email, and you can see the next email. Again, that's also November 4th.

18           Mr. Steggerda. Are you on tab 4?

19           BY MR. [REDACTED] :

20          Q     Tab 4 now. That has another email that says, It's no secret the Democrats  
21       will try to steal this election. It's up here as well if you just want to -- so do you recall  
22       any discussions -- take us to November 4th. The election happens November 3rd.  
23       November 4th folks are wondering what's going to happen. Everyone is watching the  
24       television. What are you doing? What's your day November 4 like?

25          A     I don't remember a lot of the specifics of the day. We went to bed very

1 late on the 4th. I woke up very early on the 4th. I know I had to travel between the  
2 RNC annex and the RNC headquarters. I, much like I'm sure everyone else in the  
3 building, was kind of running around. I don't recall a lot of the specific conversations of  
4 that day.

5 Q Well, but what are you doing? Right, the election is now undecided.  
6 TMAGAC is sending out the emails. What's Kevin Zambrano doing? What's your role  
7 on November 4th?

8 A Again, I'm trying to remember the day after the election and what I was  
9 doing.

10 Q Even expanded out, a couple of days after the election, I want to get a sense  
11 of -- I have a good sense of knowing what Austin was doing, right, because Austin and  
12 Hannah, we can see their work product and email boxes?

13 A Uh-huh.

14 Q Are you involved in the email process at this time? Are you engaged in the  
15 email fundraising? Are you doing other things? What are you doing that week?

16 A I don't recall if I was any more involved in the email fundraising pre-year  
17 post, you know. I do know that the building, as a whole, was starting to focus on  
18 Georgia, and the runoffs were going to be happening there. And that would require me  
19 to take more of a political angle to start prepping for that, because we knew it was going  
20 to be, I believe, in January. So, again, the RNC was focusing on that, or at least starting  
21 to focus on that, while also I was trying to get updates on any sort of legal challenges or  
22 anything moving forward between the campaign and the RNC to get information back. I  
23 was kind of running all over the place just to figure out what was happening.

24 Q Before we double -- this is a question I wanted to follow up on -- I just  
25 recalled from our last session -- there was a time when you were talking, you mentioned

1 something to the effect of making a mistake on purpose to be more effective in  
2 fundraising. Do you recall saying something of that sort?

3 A Earlier.

4 Q Yeah.

5 A A mistake wouldn't be the correct way to phrase it. But you may -- a  
6 communications person would say that it's not grammatically correct, or, you know, there  
7 is an extra word. I can't remember a specific thing. But sometimes you write in a  
8 different way to put emphasis on different parts than you probably would. So you kind  
9 of -- again, I'm not speaking for any of the copywriters or anything, but I do remember in  
10 other jobs having to kind of, I'm not writing the great American novel.

11 BY MS. [REDACTED]:

12 Q Oh, I think I understand what you're saying. Well, maybe I'm -- well, I want  
13 to make sure I'm not drawing a conclusion, but it sounds like you're saying you might  
14 write it to not be grammatically correct, so that it was like every-man language?

15 A I wouldn't say that. I mean, I know purposefully sometimes errors went  
16 out on purpose, because it would get attention. Subject lines could be misspelled or  
17 something on purpose because that would increase open rates. It's things like that that  
18 you're trying to do. But, again, you could be writing in just a more common way or  
19 vernacular that might not be -- how we speak is different than how we would write.

20 Q Right. So you could write more -- I think the word I would normally use is  
21 colloquially. You would write more colloquially than you normally would because our  
22 writing would be cleaner than the way that we would speak it, right? But --

23 A Uh-huh.

24 Q -- but going back a second, why would a mistake, or an error, generate more  
25 click rates?

1           A     If you see something spelled wrong or something inboxed, aren't you curious  
2     why it's spelled wrong?

3           Q     Maybe it's Russian bot. But I think we live in two different worlds. But  
4     I'm trying to figure out, you're saying people would open it more often if it was spelled  
5     wrong?

6           A     Not every single time. It's just something I do remember, it's a small  
7     anecdote from before even 2016 where, you know, your first name could be spelled  
8     wrong, or you have a tag that pulls in your first name, but you pull it in incorrectly. So  
9     you just see happy birthday, and it just says the first name. You're like, what, and you  
10    open it.

11          Q     So it's kind of, like, playing on people's morbid curiosity about, like, I see  
12    signs of a car crash, I need to see how bad it is kind of thing?

13          A     I wouldn't say morbid curiosity over a first name tag.

14          Q     Well, if I'm understanding you, it's more like playing on a psychological  
15    aspect of humans than any kind of, like, particular -- it's like you noticed, oh, when this  
16    happens, for some reason people are more apt to open it and read it. They kind of want  
17    to follow and --

18          A     Right, I'm not saying it's an every -- you can't do it every time or anything like  
19    that.

20          Q     No, if somebody was incompetent, right? But, periodically, a little error  
21    here or there.

22               BY MR. [REDACTED]:

23          Q     Do you recall this error happening with the 2020 cycle?

24          A     I can't recall any specifics around that or anything that I noticed.

25          Mr. Steggerda. So when you referenced the term "mistake," are you talking

1 about stylistic mistakes?

2           Mr. Zambrano. Yes, I mean, again, we are humans. Emails went out with  
3 mistakes, not planned.

4           BY MS [REDACTED]

5           Q Right, and I want to be clear. I think if we saw a typo based on what you're  
6 saying, we could not assume that it was an intentional error meant to impact quickly, it  
7 could just be a typo?

8           A Correct.

9           Q But if I'm understanding you correctly, there might be things that are such  
10 glaring mistakes where in a subject line, it accidentally leaves bracket, first name bracket,  
11 instead of their actual first name or something else where it's a mistake that gets them to  
12 open the email.

13          A Again, this was -- I don't recall anything specific to 2020 on this, or even my  
14 time at the RNC. This was just being in the industry for 10-plus years on both -- seeing  
15 both sides.

16          Q What's the earliest that you remember hearing that as kind of like -- I don't  
17 want to use the word tactic, trick, tool -- what's the first that you can recall that as a tool?

18          A Probably 2013 or 2014. But, again, the email was very big starting in 2008.  
19 That's when email fundraising became very big.

20          Q And this is when people are kind of learning what are the things that get  
21 humans to do certain things to open emails, click through, that kind of stuff?

22          A I would say early stages, yes.

23          Q Okay.

24          A I wasn't around when in the industry at that time.

25          Q Okay. That makes sense. That's helpful. Thank you.

1 BY MR. [REDACTED]

2 Q Do you recall any substantive discussions regarding -- I'm going to call it the  
3 steal message from the President -- do you recall any discussions at the RNC regarding the  
4 validity of accuracy of these kind of statements?

5 A I don't recall specifics. That doesn't mean they're not there. Again, with  
6 all of the approval chains, I don't recall specifics, but --

7 Q I mean even broader than approval chains?

8 A I am trying to think. I can't recall any conversations that I had. But, again,  
9 I'm not remembering everything.

10 Q And how would President Trump's words and phrasing, messaging impact  
11 the RNC's? So, you know, here we're in November 4th. President Trump is saying,  
12 Democrats are trying to steal the election. Were you getting separate messaging from  
13 the RNC as to what that all meant, or to do with that? Or what guidance would you  
14 have been given around this kind of language, or otherwise, whether the Democrats were  
15 trying to steal the election?

16 A I don't recall at the time. Again, the digital department does not make the  
17 talking points for the building. That lives with the communications department. I  
18 don't recall any specific talking points that I saw around this. I'm not saying there  
19 weren't. I don't recall. Again, the point of the joint approval chain was to  
20 potentially -- if they were, I don't know if this ever happened, but hashtag differences  
21 between the campaign and the RNC.

22 Q Is it fair to say that if it comes after TMAGAC, those differences, if they  
23 existed, had been hashed out because they're coming out jointly?

24 A Again, potentially, that would be the perfect scenario, but I'm not -- I don't  
25 know if that is the case in every single one.

1           Q     Let's talk on average, is it fair to say that a TMAGAC email that has the  
2 endorsement of the RNC, that's the point you're making, it has approval chains from both  
3 groups, if the RNC objected, then it wouldn't have the necessary approval, therefore, it  
4 wouldn't go out, right?

5           A     Yes, to the best of my knowledge, I don't believe it ever happened that I  
6 know with glaring RNC disapproval. But I don't believe that was the case.

7           Q     Are you aware of it going out with even whatever the opposite --

8           Mr. Steggerda. Non-glaring RNC approval?

9           Mr. Zambrano. Not that I can recall.

10              BY MR. [REDACTED]:

11           Q     Let's look at exhibit 5, which is a copy of an approval email chain. It's dated  
12 November 6th. So we're now 2 days from the last email. If you go to the third page,  
13 excuse me, the second page, you see an email from Julia Trent, and it says Two approvals  
14 DonaldTrump.com, and approval at GOP.com. So that second email address, you're on  
15 that, right, the approval@GOP.com?

16           A     I believe so.

17           Q     When you say you believe so, is there a reason to think you're not?

18           A     I don't know if I lived on their campaign at some point. I am just saying, I  
19 am 99 percent sure it's the GOP.

20           Q     Okay. That's helpful. So, and first these are the kind of approval chains  
21 that were normal, right? They multiple SMS texts, and then it has emails segmented  
22 out, and there are multiple emails listed here throughout. I mean, it's pretty, you know,  
23 many pages of copy. Is it fair to say this is a typical kind of approval chain that we've  
24 been talking about?

25           A     Again, Julia might be a better answer on what the typical one. But this

1 doesn't seem abnormal around an election.

2 Mr. Steggerda. But do you remember seeing this one specifically?

3 Mr. Zambrano. I don't remember this one, specifically. I mean, obviously.

4 Mr. Steggerda. I'm talking about tab 5. I'm talking about this document that  
5 you're looking at, exhibit 5, do you remember seeing this one?

6 Mr. Zambrano. I don't recall this one, specifically, no.

7 Mr. Steggerda. And Tem's question is, does this look like what the approvals'  
8 emails look like typically?

9 Mr. Zambrano. It would be in this format, yes.

10 BY MR. [REDACTED]:

11 Q And, Mr. Zambrano, what we're trying to get a sense of is when we're  
12 looking at approval chains like this is that is Kevin Zambrano engaged in this process, or  
13 are you not, right? Because it's -- and there is no right answer. We're just looking for a  
14 factual answer. Just so we know, is this something that were you reviewing these  
15 emails? You know, were you -- you know, you were getting them. But were you  
16 looking at them? Or did you think this process was being handled by other folks, and  
17 unless you were brought in, you weren't engaged. How would you characterize your  
18 level of involvement?

19 A I was engaged, and then I was obviously on all of these approval chains. I  
20 glanced at most of them, but unless I was specifically called out, or if I needed to push if  
21 Julia said that they hadn't heard from someone, I would ping them. But they didn't  
22 need my approval on this chain to move forward.

23 Q So would it be fair to say that when we look at the substance of the  
24 messaging coming out of TMAGAC in November, you would have been aware of it in real  
25 time, or not aware of? I don't mean every single message. What I mean is there is

1 consistent messaging that comes out of TMAGAC. And what we're trying to get a sense  
2 of who are the relevant people who would know? So would you, by  
3 looking -- understanding, again, there are many emails in this chain that you may not look  
4 at every single one -- but to be frank, I mean, these are not, you know -- they're not  
5 novels, they're not that complicated, meaning you don't have to look at every single one  
6 to get a sense of where the messaging is. So were you up-to-date on where the  
7 messaging was in real time?

8 A I understood what copy was being drafted. I would see what would be  
9 going out when it would hit my inbox or anything like that. So I was on all the text  
10 chains. I got all of the live sends. So I was aware in that sense.

11 Q Okay. All right. So when you received edits or you saw edits from comms  
12 or research or legal, did any of those one departments carry more significance for you,  
13 right? If you get back a research edit, does that mean anything different than getting a  
14 legal edit? Because, you know, often we hear because the lawyers are trying to keep  
15 people out of trouble and the comms folks are trying to just sharpen a message, but, you  
16 know, people that know lawyers, I feel, like, are more than a comm guy, but the lawyer is  
17 more like here is where the cliff is. Did a lawyer kind of feedback carry more  
18 significance to you?

19 A Again, I'm not going to speak for everyone on the approval chain, especially  
20 Julia, who was tracking the edits.

21 Q And just to be clear, I am always asking from -- like I don't want you speak  
22 for other people. If I do, I will ask you, specifically, to speculate. But I am asking  
23 always from what did you think?

24 A I would say that if they were taking -- if they had edits, then it was important  
25 to them. So I would like to know -- I didn't always get an explanation for edits, which is

1 tough to move forward with of knowing what to do and what not to do. But I would say  
2 that these departments are on these chains for a reason, and they are the approval  
3 chains.

4 So, I would take -- and I would hope my team would take edits seriously. Or if  
5 it's a clarifying question, or if there is edit that doesn't make sense, we had the freedom  
6 to go back and have conversations with them. So I definitely feel like it was a good  
7 working relationship, but I feel like everyone would be heard.

8 Q Yeah. Okay. So is it fair to say that if legal came back with edits, the  
9 copywriter's job wouldn't mean that I got an explanation. The point of edits is, in a  
10 sense, to learn from them. Is that fair?

11 A Potentially.

12 Q When you say potentially, if it is a substantive edit, put aside if someone  
13 doesn't how to spell a word, they're trying to spell it, which hopefully you still learn from  
14 that -- but a substantive edit that says like, Hey, don't use this phrase, we're not saying,  
15 you know, change that, that's the kind of thing that's meant to make the process work  
16 better in the future, right?

17 A In a perfect world, yeah.

18 Q Yeah.

19 A Again, Julia who was relaying things, not the copywriters. So I'm sure  
20 things could be lost in transition or things could be forgotten, but yes.

21 Q Julia doesn't have to relay it, right, because Austin is on the email chain,  
22 you're on the email chain. So understanding while she might be the person making sure  
23 the ball can get dropped, the relevant groups, namely, the fundraising team through  
24 Austin has representation on the threat, correct?

25 A Yes. Again, you could miss something. So I -- it's not foolproof.

1 Q Yeah.

2 A But I understand that the point isn't to make the same edit over and over  
3 again. It does happen, though.

4 BY MS. [REDACTED]:

5 Q Going back a second when you were talking about the -- I'm going to call  
6 them intentional mistakes, was there a flag that the copywriters could use to let folks  
7 know this is an intentional error so that they didn't keep getting corrected when they  
8 intended to do that?

9 A I don't know. I don't recall if there was anything like that, or if we even  
10 were using this in 2020. I don't know.

11 Q Oh, okay. It may not have even been something that you did?

12 A I don't. I don't recall that.

13 BY MR. [REDACTED]:

14 Q If an edit went out -- and we're focused on post-election?

15 A What do you mean if an edit went out?

16 Q I am going to tell you.

17 A Okay.

18 Q If Jenna Kirsch or Zach Parkinson, someone else had an edit that was  
19 substantive in nature, meaning it wasn't, you know, an extra letter, were you aware of  
20 ways where either you or the copywriting teams were made aware that, Hey, Jenna says,  
21 don't say this, and it's not just how to spell a word, it's like, we're not, you know, don't  
22 use that phrasing. How would folks know to do that going forward? How would folks  
23 know that was a change now?

24 A Again, I was in the dissemination of that. For the most part, Julia would be  
25 going back to the source documents for edits or someone on Julia's team. So when it

1       got to the email team of how the edit's already made, there could be a potential message  
2       saying, hey, FYI, moving forward, don't do this. I'm not entirely sure how those were  
3       tracked.

4           Q     So is it fair to say that how that worked was -- was that Austin's  
5       wheelhouse? Because part of the exercise here is also knowing what you know and also  
6       getting something that's in your wheelhouse that you just weren't involved with than we  
7       know. So is that something that this kind of knowing how to proceed going forward, the  
8       copy, that's Austin's thing and not yours?

9           A     It could be. It could also go down to Hannah. I'm not entirely sure.

10          Q     So is it fair to say it's the copywriting team's job to kind of disseminate that,  
11       and you weren't involved with that?

12          A     It was -- I wouldn't say it's the copywriter's job to disseminate it. It's the  
13       copywriter's role to ingest it moving forward is how I review it. So it could get to them  
14       from Julia. It could get to them from Austin. I'm not entirely certain of --

15          Q     But the idea is that it should get to them somehow?

16          A     I believe so. And, I mean, I'm not entirely -- there may have been other  
17       people on the list from the fundraising team, I'm not certain, besides just Austin, myself,  
18       and Julia. I don't know. So.

19          Q     So let's look at the next exhibit, what's been marked as exhibit 6. So if you  
20       look at -- when we go to page 2, you see at the bottom email from Julia Trent. It's a  
21       November 10th email. All right. So I want to put this in timing-wise. So the election  
22       is November 3rd, right? November 7th, that Saturday, the election was called for  
23       President Biden. Do you recall that timeline being correct?

24          A     That sounds right.

25          Q     Yeah. Now, prior to the election being called for President Biden --

1           A     Being called by the media, correct.

2           Q     -- called by the media, yeah, yeah, yeah, yeah. Not called by President  
3     Trump. Yeah, but that Friday, going into the weekend before the election is called, do  
4     you recall any directives coming from you or anyone else at the RNC that folks should  
5     have pencils down or sending people home, anything like that?

6           A     I don't recall any directive like that.

7           Mr. Steggerda. Do you remember if you worked that weekend, if your team was  
8     working that first weekend after the campaign?

9           Mr. Zambrano. I don't recall that specific weekend. I would not be surprised if  
10    we were, though.

11          Mr. Steggerda. Okay. You just don't remember?

12          Mr. Zambrano. No.

13          Mr. Steggerda. And you don't remember if you gave any direction one way or  
14    the other about whether Austin and the team should come to work or not come to work,  
15    or anything like that?

16          Mr. Zambrano. I don't recall if we were required in-person or not, or if you were  
17    just needed to be available on the weekend, I don't recall.

18               BY MR. [REDACTED]:

19          Q     As far -- okay. Now, when President Biden is called by the media to be the  
20    winner of the election, what impact does that have, if any, on what you understand to be  
21    TMAGAC's work regarding fundraising, and then on two, your personal view of where the  
22    election stands? So let's start with the first one. What impact did you see it having on  
23    TMAGAC's kind of function to move forward, if any?

24          A     I believe we continue to move forward. I know that there were legal  
25    challenges that were starting to build the campaign in the RNC around that time, if not

1 beforehand. So, and the President -- and the President was still messaging, so.

2 Q So is it fair to say things were moving ahead the same they had been  
3 previously?

4 A To the best of my knowledge, yes.

5 Q What about the impact on your view of where the election stood?

6 A Again, we were in the process, the RNC, specifically, of getting involved in  
7 these legal challenges, so looking to the legal department for updates there. So at that  
8 point, I was unclear where it stood, but I knew that it was moving forward with the RNC  
9 and the campaign.

10 Q When you say unclear, would you say it was kind of 50/50 which way this  
11 was going to go? Did it seem more likely that President Biden had won the election,  
12 more likely that President Trump had won the election, more likely there was massive  
13 fraud engineered by Democrats? Like give us more insight into where you saw, in more  
14 detail, the election being on that November 7th when it's called for President Biden.

15 A Again, I don't recall the specifics around November 7, that weekend, or  
16 anything like that.

17 Q So let's do this: Don't get tied to the date. I'm kind of thinking it's  
18 Tuesday, we're almost a week out from the election, a week later, kind of just generally.  
19 Not too -- I don't want to tie you to a day.

20 A Again, I'm trying to recall. I don't -- I believe it didn't look good. Again,  
21 this was new territory for me, and I had worked in three presidencies before so I was kind  
22 of -- I was very unclear as to next steps with the campaign from the RNC. So I was trying  
23 to take it probably day by day.

24 Q Is it fair to say that around that time, you thought President Trump was  
25 losing? Is that a fair characterization?

1           A     I would say it wasn't looking good. I don't know if I would say losing,  
2 because I don't know in that scenario what was winning, what was losing. But legal  
3 challenges, I would say it wasn't looking good.

4           Q     So is it fair to say --

5           Ms. [REDACTED] I have heard that expression a lot. That's why I'm laughing. I  
6 apologize.

7           Mr. Steggerda. That's not from me, by the way.

8           Mr. [REDACTED] No, not from Todd, no, no, no.

9           Mr. Steggerda. There is no "T" in testimony here for the record.

10           BY MR. [REDACTED]:

11           Q     So when you say it wasn't looking good, you mean it looked more and more  
12 unlikely that President Trump would serve a second term?

13           A     Potentially looking that way. Yes, again, not looking good, but good being  
14 President Trump reelected, I guess.

15           Q     Yeah. And I mean what I'm trying -- we've talked to folks who have said  
16 they got to that Friday and they just turned in their laptop. They were like I'm not -- I  
17 need another job. We've talked to folks that said, Here we go, get some medical things  
18 done whilst I still have insurance on the campaign. Because they're looking to stuff like  
19 this is not -- I'm not sitting around here waiting to see what happens, because this does  
20 not look like President Trump is going to be sitting around the White House. So is that  
21 fair to say, like, by a week out, you were in that state of mind, or where would you say  
22 you were?

23           A     I mean I was an RNC employee, not a campaign employee, which I have been  
24 a campaign employee, so there is a different mindsets there. I'm not speaking to  
25 anything like that, or I don't think that influenced anything. I don't recall, other than

1 just getting, you know, day by day. And the RNC continued. In its existence, continues  
2 regardless.

3 So I knew that the RNC needed to continue. And we were moving forward with  
4 the legal challenges, but also focusing on Georgia. So, we were trying to wear a lot of  
5 different hats. And in this time period, it's kind of a trying to get day by day.

6 Q So here in this email looking at exhibit 6 and the Bates number ending in  
7 13758, which is the second page. Justin Riemer, chief counsel of the RNC says, a few  
8 suggested edits below. Do you see that?

9 A Uh-huh, yes.

10 Q And if you turn to the page ending in 13761, which is page 5 at the top, do  
11 you see that. It says page 5 of your top. Do you see that?

12 A Yes.

13 Q And you can see his edit. It looks -- the original text by the copywriters  
14 says, Remember, President Trump won this election by a lot. He got 71 million legal  
15 votes. And Justin Riemer edits out won this election by a lot to make a new sentence,  
16 President Trump got 71 million legal votes. Do you recall this edit?

17 A Seeing it. I see it. I don't recall it at the time.

18 Q Would it be fair to say that this is a substantive edit?

19 A Again, I don't recall at the time, but yes. You know, Justin Riemer is the  
20 chief counsel of the RNC, and he was making edits, so yes.

21 Q I'm talking about no matter who made it, but it's more important Justin  
22 Riemer, but is it fair to say that he changed the sentence from saying that President  
23 Trump won the election, and then says that President Trump just -- he removes that he  
24 won, and he got 71 million legal votes? Do you see that, right?

25 A Yes.

1           Q    That's fair that that's a substantive edit?

2           A    Yes.

3           Q    Is it fair to say it's a form edit?

4           A    A what?

5           Q    What he changes the meaning of the sentence. Is that fair to say?

6           A    I believe so, yes.

7           Q    Do you remember any discussions regarding edits such as this with anyone  
8 at the RNC?

9           A    I don't recall any conversations about this edit or edits like it, but there  
10 might have been.

11          Q    So as the chief digital officer in supervising Austin and his team, what would  
12 you expect him to do if the chief counsel of the RNC says, effectively, Take out that  
13 President Trump won this election? What would be your expectation of what that team  
14 you're overseeing that they would do with this kind of edit?

15          A    There could be multiple different things they could do. Again, you would  
16 need to ask them what they did or if they got direction. I don't recall giving any  
17 direction on it. You could have --

18          Q    I don't mean to interrupt you. Again, the question is just I am not asking  
19 you what they did, was directed to them, I'm asking you what your expectation would  
20 have been?

21          A    Again, as I said, it could be a multiple different things. You could accept it  
22 and move on, because there was no clarification in that email. He just said a few  
23 suggested. That's the word he used. You could go to Justin legal, ask for clarification,  
24 ask for -- you know, or you could propose other wording. There are different avenues  
25 you could take, and I'm not entirely certain which one was taken here.

1           Q     And you said no one came to you to discuss whether or not it was proper to  
2 say that President Trump, whether or not he won the election? Did anyone discuss that  
3 with you whether that was appropriate for a fundraising copy?

4           A     I don't recall any conversations around that, but I'm not -- I don't remember  
5 every conversation around that time.

6           Q     Well, I guess what I'm asking you, not to -- do you remember, even broadly,  
7 conversations as to how to characterize the state of a race in fundraising emails, whether  
8 President Trump had won the election, versus was just challenging the results? Any  
9 conversations of that sort?

10          A     Again, as I said, I can't recall those conversations. I'm not saying they didn't  
11 happen or anything, I just don't recall that. I don't recall what the team was talking  
12 about out in the bullpen.

13          Q     Do you recall even yourself just having your own internal kind of dialogue as  
14 to how best the fundraising team should be talking about the State of the race around  
15 this time. So we're at November 11th. Any recollection as to you thinking that  
16 language should change to match the uncertainty, or perhaps, the looking-less-likeness  
17 of it all, that you mentioned earlier that you had personally, any discussions or thoughts  
18 regarding fundraising email reflecting that?

19          A     Again, in this time period, I don't recall anything like that. I could have  
20 talked to legal about where the challenges laid, were. I don't remember conversations  
21 about this, though, as the messaging changed or didn't change. I don't recall.

22          Q     Is it fair to say, though, that that wouldn't have been your role? Because I  
23 want to make sure I'm not putting things on you that are not your role. Meaning, if you  
24 saw -- is it fair to say that it wouldn't be your job to go to on November 11th to go and  
25 say, Hey, Kevin Zambrano has thoughts to where -- how the campaign in TMAGAC should

1       be messaging. Or is that your role?

2           A     I am not communications. I am not legal. I potentially would have gone  
3       to them to ask for updates or any messaging that they would have had to get back to the  
4       team if necessary. But I, Kevin Zambrano, did not set the messaging strategy for the  
5       campaign, nor TMAGAC, nor RNC.

6           Q     And would it be your position to even push back against the adopted  
7       messaging strategy?

8           A     Push back on who?

9           Q     You said you didn't set it, so someone else sets it. So whoever you are  
10      talking about, who sets it. What I am trying to get a sense of and -- I am going to show  
11      you more emails, we'll go through in a minute. But we're going to see numerous  
12      instances of legal from RNC weighing in on these emails and making edits that seem to  
13      reflect the uncertainty you had about President Trump having a second term. You see  
14      here, Justin Riemer takes out the term, President Trump won this election. Let's go to  
15      exhibit 7.

16           This is an email coming on November 11th, the same day. And you will see on  
17      the second page of exhibit 7, Jenna Kirsch says, Edits below. Do you see that?

18           A     Yes.

19           Q     And when you turn to the next page, which is now page 3 of exhibit 7, it  
20      says, She changes -- she removes "secure 4 more years to defend the election." And  
21      then she changes "stop the left from stealing the election" to from "trying to steal the  
22      election." The next page, she says, again, to remove secure 4 more years, and instead  
23      writes, Finish the fight. Do you see that on page 4?

24           A     Yes.

25           Q     And let's go to exhibit 8, which is an email also edits from Jenna Kirsch on

1       November 11th, Bates number ending in 13891. Do you see on page 1 where Ms. Kirsch  
2       says, Edits below?

3           A     Yes.

4           Q     And then you see on the first page at the bottom she adds in, "try to," as  
5       opposed to just like the left stealing, they're going to try to.

6           Mr. Steggerda. I'm sorry, where was that edit?

7                   BY MR. [REDACTED] :

8           Q     At the bottom of page 1 at exhibit 8. Do you see the edit at the bottom?

9           A     Yes, sorry.

10          Q     And again if you go to page 4 of exhibit 8, and at the top there, Ms. Kirsch  
11       seems to again remove "secure 4 more years" and instead writes "finish the fight." Do  
12       you see that?

13          A     Yes.

14          Q     And, lastly, another email on the next day, Ms. Kirsch, on November 12th,  
15       again, writes an email for TMAGAC and says, Edits below. Do you see that first page of  
16       exhibit 9?

17          A     Yes.

18          Q     And when you turn to page 4 of exhibit 9, Ms. Kirsch again removes "secure  
19       4 more years" and writes "finish the fight." Do you see that?

20          A     Yes.

21          Q     So if looking at these emails, is it fair to say that from what I've shown you,  
22       that RNC legal is softening some of the language that came for the approval process?  
23       Would that be a fair characterization?

24          A     I think you would need to ask the legal department. I don't want to say -- I  
25       don't want to put an adjective to what they're doing. I am not a lawyer. So I don't

1 know what --

2 Q Well, softening isn't a legal term, right? This is just linguistics. Right,  
3 these emails that you said, effectively, they're going to every man. So, right, in reading  
4 what the email says, we can confer, we can look at, as English readers, two sets of  
5 language and see whether one feels to have changed the substance of the email, which is  
6 you have been doing email fundraising for a decade now. You are well-tasked at looking  
7 at approval email chains, understanding, not even as a lawyer, but as a fundraiser, the  
8 impact of that, right? That's what you get paid to do. Is that not fair?

9 A Correct. I will say, though, with no explanation from the legal team as to  
10 why these edits are being made, I'm not going to say for certain that it is, in fact, to  
11 soften, or if there is another meaning behind it.

12 Q But, again, you have to look at when someone asks you -- I didn't ask you  
13 what Ms. Kirsch intended. I am asking you to read this and get your sense of what you  
14 think the impact of the language changes, right? So we have an example for Mr. Riemer  
15 that says -- that removes the claim that President Trump won the election. You have  
16 Ms. Kirsch removing "secure 4 more years," and instead, "finish the fight."

17 So in reading those together, is it fair to say that those are softening the language,  
18 right? Is it not fair to say that "finish the fight" is different in kind than "secure 4 more  
19 years" and what it's claiming these fundraising efforts are going to lead to?

20 A It's a different meaning, yes.

21 Q And what do you take from that different meaning?

22 A If I'm reading this back then --

23 Mr. Steggerda. Let me -- can I just get a foundation here? Do you remember  
24 seeing these emails --

25 Mr. Zambrano. I don't recall.

1           Mr. Steggerda. -- back in the time?

2           Mr. Zambrano. I don't recall seeing -- or I don't remember this.

3           Mr. Steggerda. Do you remember seeing these edits from legal that he is  
4 referring to at the time?

5           Mr. Zambrano. I don't recall seeing the edits, but again, I --

6           Mr. Steggerda. Sitting here today, then, when you look back and see the effect  
7 of these changes, he's asking you from a fundraising perspective, how do you -- what do  
8 you view the impact of edits like that are in terms of the fundraising impact?

9           Mr. Zambrano. I don't see them as large changes.

10           BY MR. [REDACTED]:

11           Q     Well, I'm asking you in understanding what the words mean. So, if that  
12 were from the fundraising impact, they make fundraising a lot of money, but in what the  
13 recipient is intended to take from this meaning, do you see any difference between  
14 secure 4 more years versus and a lawyer coming back and saying, No, stay, finish the  
15 fight, don't say secure 4 more years? Or is that for you fully interchangeable, kind of  
16 makes no difference, same thing as changing a typo?

17           A     Again, I don't remember this one. I don't know if this is where the chain  
18 died with Alex Cannon. There may have been replies, I'm not sure. But more than  
19 likely, we would have moved forward with these edits as it didn't seem --

20           Mr. Steggerda. Let me try to help again. This substantive change that the  
21 investigators are asking about, sitting here today in 2022, do you see a substantive  
22 difference between those edits?

23           Mr. Zambrano. Yes, and I saw that when -- coming from Jenna, there is a reason  
24 why those edits were made, and there probably is a reason why it came from legal, and  
25 that was caught by them. Yes, I do see the substantive change. Again, I don't know

1 what I was -- what anyone on the fundraising team was thinking at the time of that  
2 substantive change.

3 BY MR. [REDACTED]:

4 Q So in your training, experience in 10 years of industry, what is the  
5 substantive change you see here? What is the import of the change you see here?

6 A I mean, the 4 more years is the biggest change.

7 Q But explain to us in a more, kind of flesh it out.

8 A Again, I don't recall the timing of this. This is, what, almost 18 months  
9 later. I'm seeing these emails for the first time. You know, we're talking about voter  
10 fraud in this email and finishing the fight against combating voter fraud. That could  
11 continue outside of potentially 2020, 2024, or anything like that.

12 Q So you don't see this as softening the kind of promise of a second term in  
13 soliciting fundraising emails? Because when I read it, in multiple instances, it was  
14 saying, secure 4 more years, that seems to be saying, all right, don't say a second term;  
15 let's say we're going to just push through whatever we're doing now. Is that not how  
16 you read it?

17 Mr. Steggerda. This sentence right there.

18 Mr. Zambrano. Again, I don't know if I would describe it as softening. I'm not  
19 fully certain what Jenna's thought process was behind it. I do see it altering a fit of the  
20 substance of the email, but I don't know if -- there's no explanation from legal even to the  
21 context of this right now as to the thought process behind it. So I can understand you  
22 seeing it as softening language.

23 BY MS. [REDACTED]:

24 Q Mr. Zambrano, we're not trying to get you to speak for other people.  
25 We're not trying to get you to speak for legal or to speak for comms. We're not sitting

1 here asking if you saw this email. We're showing you an email right now today,  
2 understanding it's been a while, understanding maybe you didn't see it, maybe you don't  
3 remember seeing it. But sitting here right now, you've got years in digital fundraising  
4 experience. And you're -- I'm careful with the qualifier now -- but you're a relatively  
5 educated adult, right, who understands -- I used this before and somebody criticized me.  
6 So it has nothing do with you.

7           Mr. Steggerda. I apologize.

8           BY MS. [REDACTED]

9           Q I'm just saying, we perceive you to be an educated person. And so we're  
10 asking you -- some of these questions aren't just asking you as your position at the RNC,  
11 some of these we're asking you if you were Kevin Zambrano, an American receiving this  
12 email. What would you think sitting here right now reading it? So I understand this is  
13 nerve-racking, and I just want you to think for a moment, sitting hearing right now,  
14 putting aside whether you saw it or not, putting aside what legal thought, when  
15 somebody says, if you opened an email that said, more votes are coming in for the  
16 President every single day, and with your help, we'll combat reported voter fraud and  
17 secure 4 more years for the American people.

18           When you read that, a week after the election, if you were a person reading that  
19 email, wouldn't it be reasonable to think, a week after the election, there is a really good  
20 chance that there's still something to be done here to secure 4 more years, to secure 4  
21 more years? There's something that I could do, I could help, I could donate to the  
22 Election Defense Fund. I could do something. Because it literally says, with my help, I  
23 can do something to secure 4 more years. If you're reading that email, would you not  
24 get the impression that there is something you could do to keep President Trump in office  
25 for 4 more years?

1           A     I understand that. I understand the reading of that, except the voters  
2     wouldn't have seen it because it was taken out, I believe.

3           Q     No, no, no, yes, right. We're going through the hypothetical if you saw the  
4     original, right?

5           A     Yes.

6           Q     Because I think the point that my colleague is trying to make is a reasonably  
7     educated person sees, with your help, we can secure 4 more years, and thinks there's  
8     something that I can do to help President Trump stay in office for 4 more years, right?  
9     Conversely, what it's changed to, if I now read you, with your help, we'll combat reported  
10    voter fraud and finish the fight for the American people. What fight?

11          A     I would say voter fraud.

12          Q     Forever, right?

13          A     Until reported voter fraud is combated.

14          Q     Right. Until the end of voter fraud, right?

15          A     Right.

16          Q     There's no timeframe on that. There's nothing that suggests it even ties to  
17     President Trump or overturning the election, right? So the initial language made it  
18     sound like a week after the election, there was something that these people could do to  
19     help overturn the election. And then what it's changed to in the edit process is, finish  
20     the fight on voter fraud. And sitting here, I don't think either you or I can say when the  
21     end of that is. That fight's forever, right? You have to donate to that forever to fight  
22     voter fraud in perpetuity, right, to constantly fight fraud. That's what we're asking by  
23     softening. And if softening's not the right word, then tell us the word that you would  
24     use as a person reading that to describe changing the impression given to people from,  
25     you can help overturn the election and ensure that President Trump has 4 more years, to

1 you can help finish the fight against voter fraud. What word would you describe?  
2 What word would you use -- excuse me, what word would you use to describe that  
3 change? Not necessarily one word. How would you characterize it?

4 A I would characterize it as first edited. Second, again, this email is all about  
5 fundraising. That is what we want these people to do regardless of finishing the fight or  
6 securing its donating. There is the term "legalese," which is without explanation from  
7 legal. A lot of times it's legalese. And what we don't get an explanation why. But I  
8 can understand softening. I can understand just pure edited. I understand that this is  
9 a change. I don't know --

10 Q Let me ask it --

11 A I don't know how I'm not like -- I apologize, but I --

12 Q No, no, no, let me ask the question in a different way. Edited is a  
13 nonjudgmental term, right? Something is edited. And sitting by itself, it doesn't  
14 characterize it. It just means it's changed, right? So it's a very objective term for  
15 changing something from A to B, right? If I said that, you know, I edited, right,  
16 something, right? Like I tell somebody you look unattractive in that dress, and then I  
17 change it to that's an interesting dress, I could say I edited that, right? But I also could  
18 say I softened that. One of those is a nonjudgmental. One of those is a very empty  
19 edit, and one of those is a characterization, right? You softened it. She softened it by  
20 making it nicer, by making it softer.

21 If you were describing this change, say, to Austin, right? Austin says what kind of  
22 edit was it from secure 4 more years to finish the fight? If he said, yeah, I know it was  
23 edited, but what kind of edit? That's what we're trying to ask you. How would you  
24 characterize that type of edit? And my colleague was using the word "softening" and  
25 was just saying, would you disagree with the characterization of that edit as softening?

1           A     Again, I'm -- as I said, I understand the softening language. I don't know if  
2     I've thought about this edit even enough to --

1

2 [1:24 p.m.]

3 BY MS. [REDACTED]:

4 Q That's why we're asking you now. So would you disagree with "softening"?  
5 Would you say that's a reasonable phrase, or would you say, nope, I would use a different  
6 one?

7 A I don't know if I would use that phrase. I don't know what phrase I would  
8 use or put much thought into this, but I can understand you using soft --

9 Q Could you disagree with "clarifying"? If somebody said: You know what?  
10 We're going to clarify this to make it clear that they can't, in fact, help secure 4 more  
11 years, but they can, in fact, finish the fight against voter fraud? They can't finish it, but  
12 they could help finish it.

13 Would you say it's a clarifying edit?

14 A Again, as I said, it would be a clarifying edit if there was any clarification from  
15 legal. It's just an edit at this point.

16 BY MR. [REDACTED]:

17 Q Are you saying you're unable to interpret edits from Jenna Kirsch? When  
18 you get these edits, you're all able to learn from them, right? You said previously you  
19 get these edits; the point is to learn from them going forward, right?

20 A Potentially. Again, I am not a lawyer. No one on my team that I know of  
21 was a lawyer. If a lawyer gives an edit with no explanation, that doesn't guarantee:  
22 Okay, don't ever say this again. If it's explicit and said, "Hey, guys, we can no longer say  
23 this, this, this," then I feel like that's a reasonable statement, but without a full context or  
24 potential explanation or conversation, I don't know if I can say realistically that -- I mean 7  
25 and 8, they made the same edit, those two approval chains --

1           Mr. Steggerda. No. They're asking you specifically, though, the difference  
2 between "secure 4 more years" versus the change, which is "finish the fight."

3           How would you describe the change in your own words, from a substantive  
4 perspective, if you see a difference?

5           Mr. Zambrano. I mean, again, it's hard -- I see the edit. Again, if this went out,  
6 no one would have seen the original. No donor would have seen the original. So I  
7 would say this a substantive change from the legal department. I don't know if it's clear  
8 that we should never say "secure 4 more years" here because it doesn't say, "Moving  
9 forward, do not do X, Y, Z."

10           BY MS. [REDACTED]:

11           Q     Let me ask this a different way because -- I may not be asking it clearly. I'm  
12 looking at No. 8, page 4, okay?

13           A     Were you -- is this a different --

14           Q     Yeah. I'm going to skip back because you were talking about all of them,  
15 and page 4 of exhibit 8 is slightly different. This one says: He needs you -- I'm going to  
16 insert President Trump because it's referring to President Trump -- President Trump  
17 needs you --

18           Mr. Steggerda. [REDACTED] -- insert [REDACTED]. Were you on this fundraising email  
19 list?

20           Ms. [REDACTED]. Do you want me to say Mr. Zambrano. The recipient. I think it's  
21 supposed to be the recipient.

22           Mr. Steggerda. I'm teasing.

23           BY MS. [REDACTED];

24           Q     "He needs you to step up and contribute to our critical election defense fund  
25 so that we can secure 4 more years."

1           Okay. Now, if you sent out the email as originally drafted, would you agree or  
2 disagree that it would suggest to a recipient that there's some amount of financial help  
3 that they could give by donating to the election defense fund that could actually secure  
4 the President 4 more years?

5           A     I would say in this scenario that you pointed out to is a more substantive  
6 change than the one in the Vice President --

7           Q     No. No.

8           A     It's clearer what you're saying seeing it here.

9           Q     This one is more helpful. Right. That's where I thought this one we could  
10 drill down a little bit because I think what's really, really clear in this one is that he needs  
11 you to step up and contribute to our critical election defense fund so that we can secure 4  
12 more years is a pretty blatant misrepresentation in somebody's ability to financially  
13 change, by donating, the outcome of an election, right?

14           I mean, is there any amount of money that a person the week after the election  
15 could donate or even collectively was there any amount of money that people could  
16 donate so that President Trump could secure 4 more years?

17           A     Again --

18           Q     No, but really, think about that, because think about what that suggests, that  
19 with all the litigation going on, which was the President's best chance, right, to secure 4  
20 more years, was there any amount of money that somebody could donate to pay for the  
21 President to win the litigation?

22           A     I have no knowledge or expert --

23           Q     As an American with a kind of understanding of our civic system, do you  
24 think that there's an amount of money that somebody could have contributed to an  
25 election defense fund that would ensure -- so that they could secure 4 more years?

1       Would an amount of money determine the President's success or failure in post-election  
2       litigation?

3           A     Again, I don't believe so.

4           Q     Oh, no. No. That's helpful. Stop right there, because you're an  
5       educated person who thinks: I don't know that that's right that simply raising money  
6       would secure 4 more years.

7                   So then, when somebody changes it to "finish the fight," whether we want to say  
8       softening, clarifying, taking something out that's not true, or suggest something that's not  
9       really feasible, that's what we're getting at, is that a number of these changes -- you say  
10      substantive edits. There's a theme when you're changing "secure 4 more years" to  
11      "finish the fight," and it's to make it less determinative that you're doing something that  
12      you're going to have some real legitimate impact in actually securing 4 more years.

13                  Because they can theoretically have an impact in fighting, right? If you just say  
14      that, you can absolutely help finish a fight. You can lose a fight, but you can certainly  
15      help finish it, however it goes, right? So one of those is a truthful possibility, and the  
16      other one, it seems less clear whether it's actually possible.

17                  And all we're asking you is, does that seem like an unfair characterization to say,  
18      "secure 4 more years," that's a suggestion of something that's really not clear.  
19      Especially in this one, it's really clear that the election defense fund could not secure 4  
20      more years, that language, not, right?

21                  Mr. Steggerda. Are you -- at this time on November 11th or 12th, were you  
22      aware that there was recounts underway in States?

23                  Mr. Zambrano. I know there were legal challenges. I believe there were  
24      recounts.

25                  Mr. Steggerda. Are you aware that there was extensive litigation that was

1 starting in the States and that continued for at least a month or two?

2 Mr. Zambrano. Yes. I had a general sense that that was going on.

3 Mr. Steggerda. From your perspective, did you have an understanding of some  
4 of the money that the fundraising emails were raising were going to the litigation effort?

5 Mr. Zambrano. I can't speak about where every dollar went. That's not my  
6 role, but I believe that, in doing RNC business as a whole, that could have impacted that  
7 as well.

8 Mr. Steggerda. Do you know -- did you know at this time whether the litigation  
9 was going to be successful or not?

10 Mr. Zambrano. I did not.

11 BY MS. [REDACTED]

12 Q Can I ask a question on that? Sitting here today, if you knew the tiny, tiny  
13 fraction of the funds raised that actually went towards paying post-election litigation  
14 were any of the things that Mr. Steggerda just mentioned to you, if you knew the tiny  
15 amount of the more than \$200 million that was raised post-election up through January  
16 6th, would you have any problems today telling people that the money that you raised  
17 was going to an election defense fund knowing a tiny fraction of it actually went to pay  
18 post-election litigation and recount expenses, if you knew that?

19 I'm not saying you knew it at the time. I'm not asking you if knew it at the time.  
20 I'm saying, sitting here today, if I told you the tiny fractional percentage that actually  
21 went to recounts and post-election litigation out of the more than \$200 million that was  
22 raised solely post-election through January 6th, would you have any problems with the  
23 way that these emails were phrased soliciting funds for the critical election defense fund  
24 that this money was articulated to be going to?

25 A Again, I will just say I don't know the full funding. I want to be clear on

1       that.

2           Q    Hundred percent understand.

3           A    Again, there are three entities within this: RNC, TMAGAC, DJTFP, Donald J.  
4       Trump for President. I don't know how the campaign spent the money. TMAGAC  
5       spent money and then disbursed money. RNC, I don't know what the percentage is  
6       there. Again, I don't know the full -- what every single dollar went to, but there is a cost  
7       associated to send that email. That doesn't have to go to the election defense fund, but  
8       you still have to pay for it. So there are things that it might not look like every single  
9       dollar went to it, and I'm not saying that it did, but there are a lot of outstanding factors  
10      in terms of fundraising that cost is just associated, which could make it look worse than it  
11      may have been. I'm not sure. I haven't seen the breakdown. I'm not -- I don't know  
12      anything about the campaign side of things. I don't know.

13          Q    Okay.

14           BY MR. [REDACTED]:

15          Q    Do you recall President Trump claiming that he had won the election around  
16      this time, and today and every day since November 3rd?

17          A    I'm sure he has.

18          Q    Do you not know whether he claims he won the election?

19          A    Again, I don't know if he said it in that exact phrase. I'm sure he has. I've  
20      heard a lot, yes.

21          Q    So, when we go to exhibit 6 and Justin Riemer suggests taking out that  
22      President Trump on page 5 of exhibit 6, and he says: Taking out President Trump won  
23      this election.

24          Same question we just covered with the "secure 4 more years," is this fair to say  
25      that this is an example of the approval chain walking back some of President Trump's own

1 words?

2 A That could be. Again, I don't know what the genesis of this email was, and  
3 there's no explanation from Justin. So I don't know. You would have to ask Justin or  
4 anyone else on the approval chain who edits.

5 Mr. Steggerda. Do you remember the specific edit?

6 Mr. Zambrano. I see it now. I don't recall at the time.

7 BY MR. [REDACTED]

8 Q So, reading the email now, the edit now, is it fair to say it's a substantive  
9 change? It changes the meaning of that sentence?

10 A Well, it creates a new sentence.

11 Q Yeah. Which means something different?

12 A Yes.

13 Q Right. And the first sentence says that he won the election, and the second  
14 sentence just says how many votes he got, right?

15 A Correct.

16 Q And it's fair to say this is -- again, I don't want to get into debate about  
17 whether this is softening or not or the use of the word "softening," but is it fair to say that  
18 this is another example of legal walking back some copy with regard to how the  
19 election -- regarding election results?

20 A Again, I'm not part of the legal department. I think if you ask them, they  
21 would give you where their heads were at. I see this as a legal edit. I don't -- I'm not  
22 saying they are walking back. I can't speak to that.

23 BY MS. [REDACTED]:

24 Q Why do you see this as a legal edit?

25 A Because it's coming from legal.

1 Q Where do you see that?

2 A Because it's from Justin Riemer, chief counsel for the RNC.

3 BY MR. [REDACTED]:

4 Q Well, when Justin Riemer gives edits --

5 A Yeah. But --

6 Q Hold on. We're asking -- you're very experienced in this area. We are  
7 not. Justin Riemer -- you know, all lawyers will defend our value, but this is not  
8 someone giving you some deep analysis on constitutional case law that only someone  
9 with a JD could get, right? He says effectively: Don't say President Trump won the  
10 election.

11 So, sitting here today, when you look at that edit, what do you take from that? It  
12 looks to me like he's walking it back. He's softening. He's saying: Say how many  
13 votes he got, but November 11th, 2020, almost a week out or a week out, can't say he  
14 won the election even though he's saying he won the election.

15 Isn't that what's happening here?

16 A I would see -- and again, from my decades in this industry, I see legal  
17 potentially editing to keep it open to interpretation potentially. Again, there's nothing  
18 here -- you just put a lot of words out for Justin that I don't see from his email, and maybe  
19 I just don't think like a lawyer in that. I see an edit here that's coming from legal. I'm  
20 sure there's a reason. I don't know that reason.

21 Q And you don't have the experience, skill set, or knowledge to read that and  
22 gain any kind of understanding?

23 A Again --

24 Q Hold on. Right? That's what I'm asking. Not what did Justin think.  
25 I'm asking that if you, with your over decades plus experience, got this edit, would

1       you have looked at it -- sitting here today, you saw this edit, would you look at it and go,  
2       "I don't know what make of this, I will make the edit, and I will move on," or would you  
3       take any kind of lesson or glean anything from it substantively? That's what I'm asking  
4       you.

5                  A     In this one-off instance?

6                  Q     Well, to be fair, we've given you multiple instances of the same day. So, if  
7       you want to draw on context, you have three other approval emails on the same day to  
8       draw on, but I'm asking you in context, right? November 11th, you know what's  
9       happening, you're there working for the RNC, yeah.

10                 A     And this edit, again, is different than the one we just discussed. So I think  
11       it's easy to put four emails back to back and see edits and be like: Well, why didn't you  
12       just read into this.

13                 Again, junior staffers might not have the same experience. I do agree that this  
14       means something. I'm not going to pretend -- I could have an opinion of it. That  
15       doesn't mean that's why Justin did it. But junior staffers might not understand this.  
16       They might just make it and move on and not understand any implication.

17                 I don't think it's fair to say that anyone who is right out of college, first job doing  
18       approval chain, is going to be like, "You know what, I understand why legal is doing this,"  
19       because, for the most part, they're not going to.

20                 BY MS. [REDACTED]:

21                 Q     So, going back for a minute, because a couple minutes ago when we were  
22       asking about the types of legal edits that legal would make, if I remember you right, at  
23       one point, you said legalese. And that's probably a phrase that means something  
24       different to nonlawyers than it does to lawyers just because I think -- there's a broad  
25       scope there of what lawyers perceive as legalese and then what everybody else -- a

1       lawyer did it; it's legalese. It's a bucket everything can go into.

2           But I think something I'm hearing you -- I want you to tell me if I'm wrong -- is I  
3       think we may be giving a lot of credit to the copywriters and folks on the digital team for  
4       thinking a lot about something that -- I'm getting the impression from you they didn't  
5       think about at all, right? When a copywriter hears President Trump say over and over  
6       and over, "I won this election by a lot, I won this election by a huge amount, I won it by  
7       the most votes ever in the world," their job is to put in email what President Trump said,  
8       "Remember, [REDACTED], President Trump won this election by a lot," even though anybody  
9       watching could have said: Well that's not right. That's hyperbolic. That's crazy.  
10      But that's what we were used to, right? That's what you're hearing.

11           So a copywriter dumps this in here, and if I'm understanding you, there's some  
12       safety net lawyer whose job is to, whether legalese, whatever their reason, it's their job  
13       to catch that. It is not the job of anyone before approvals to catch that. And that's all  
14       we were trying to get at is that some kid out of college hears the President say over and  
15       over and over, "I won this election by a lot." Why wouldn't they dump it into an email  
16       and let somebody else correct them if it's wrong. Is that unfair?

17           A     I think it's simplified.

18           Q     Tell me the complicated part.

19           A     I mean, you said that there's no thought put into anything that's on this  
20       page.

21           Q     Oh, I don't think I said that. What I meant was, I don't think there's  
22       thought given to the aspects of the approval process, whether it's -- I don't think there's  
23       thought given to the things that approval should catch, whether it's a legal problem,  
24       whether it's a comms problem, whether it's a research problem. To the extent that the  
25       digital copywriting team thought about that, tell me if I'm wrong, the one of those that I

1 think they do consciously think about is comms because some of the folks we talked to  
2 said: We absolutely had to be consistent with messaging. But if we were grabbing  
3 things from the President, odds were good that's where comms was getting the  
4 messaging, from the President. So it was a relatively safe assumption that, if the  
5 President said it, comms wouldn't be that upset about it because we were all fishing from  
6 the same bucket of what to use.

7 So all I'm saying is, not that they're not thinking about it, but that what legal or  
8 research would look at, whether something's true, whether it's a legal misrepresentation,  
9 whether it's false, whether it can be disproved or whether the source is bad, all of the  
10 things that would fall into the bucket of legal or research's problem, we got the  
11 impression that they weren't thinking about that at all. That's somebody else's job to  
12 catch. Their job was consistent comms and what would raise money.

13 All I'm asking you is, is that a fair or an unfair characterization?

14 A I think it's -- again, the copywriters aren't lawyers. I don't know everything  
15 that on a page if it would be legal. I didn't know that you couldn't say "donate and enter  
16 to win a trip" as opposed to "donate to enter to win a trip." I didn't know that it came  
17 down to that minutia. I don't think it's fair for copywriters to understand that. I think  
18 they do draft communication, talking points on the sourcing from the President and  
19 everything. And I do believe that's why the approval process is so important because  
20 we don't know what legal is going to see, what research is going to see, what, you know:  
21 Hey, here's the job numbers from this month; oh well those are last month's. It is tough  
22 to have these copywriters be everything.

23 BY MR. [REDACTED]:

24 Q To be clear, though, on this chain, the copywriters or the junior copywriters,  
25 they aren't on this chain, right?

1 A I don't know. I don't know who specifically wrote this email.

2 Q I'm not asking you who wrote it. I'm asking, the folks who are relevant for  
3 the approvals chain and the fundraising team we've been talking about are you, and  
4 Austin and maybe Hannah. Alex Murglin is not in this approval process, right?

5 A I don't believe so, but I'm not certain if he's on this chain or not.

6 Q So the people who are -- when Justin Riemer puts in an edit, I think what you  
7 said is the people who are from the fundraising team that's relevant to you, at least  
8 initially, you're really talking about you and Austin to the extent you consider yourself in  
9 the fundraising team, right? It's not junior people we're talking about. It's senior  
10 people looking at this edit and deciding what it means and what it doesn't mean, right?

11 A Potentially, but again --

12           Mr. Steggerda. Is that what you said? If an edit came back like this -- and I  
13       know you said you don't remember this one in particular -- who would implement that  
14       edit? Is it you or Austin, or does it involve the fundraisers, or what's your recollection of  
15       how the process would work when an edit came back that's reflected in the approval  
16       email as opposed to --

17           Mr. Zambrano. I believe this probably would have been noted, edited, and like  
18           passed around by Julia or someone on her team.

19           Mr. Steggerda. Do you remember a discussion would be involved around the  
20         11th or 12th with your team about whether or not you could say in future fundraising  
21         emails whether President Trump won the election or not? Any recollection of that level  
22         of engagement?

23 Mr. Zambrano. I don't remember no.

24 BY MS

25 Q Let me ask you a question, sitting here today, can you remember a single

1 conversation that you ever had with your team from Austin down, any of them, about  
2 what they could or couldn't put in the emails based on the response of the approvals  
3 team?

4 A I don't remember. I don't remember if there were talking points sent  
5 around. I don't remember conversations specifically about what we can and can't say.  
6 But I'm not saying those didn't happen. I don't remember.

7 Q Well, a second ago when you said talking points sent around, that suggested  
8 that -- was there ever a point in time where somebody, anybody sent something out  
9 saying, "Hey, three most common errors we're seeing that would help us if you don't  
10 keep doing this"?

11 Was there ever any kind of a feedback process that came out of either legal,  
12 research, or comms that said, "Hey, most common errors" or "We're seeing this one over  
13 and over, just heads up, to your point, no, you're not lawyers, but if you could just stop  
14 using this thing over and over and over, it would really help us because we're going to  
15 ding it every time"?

16 Did you ever get that kind of feedback from anyone in the approvals process,  
17 legal, research, or comms?

18 A I don't believe so, which is why I'm looking this over, and I'm seeing the  
19 same edit because there was no context as to: Okay. This is a stop, you know, flat out.  
20 So there may have been. I don't recall, but that, I guess, is where potentially the  
21 disconnect is that it's not obvious that this is: Moving forward, this is what you don't say  
22 anymore or anything like that.

23 That's the hard context to glean if there ever was legal saying: Hey, this is  
24 language that we will use moving forward or something. I don't recall that, no.

25 Q And just do you remember ever having conversations with your team or any

1 of the team members ever saying, "what do you think about -- this was the problem, or  
2 do you think I could say this"?

3 So, for example here, "President Trump won this election by a lot," just as an  
4 example, not saying this happened, but do you ever remember conversations of, "Oh,  
5 what about that can we not say"? Can we say he won this election and just stop there,  
6 like, do you think "by a lot" is the problem?

7 Do you ever remember the team having discussions about the substance of the  
8 edit for purposes of feedback or correction going forward? Do you get what I'm asking  
9 there?

10 A I do. I don't recall. That doesn't mean it didn't happen between Hannah  
11 and Austin or someone else. I could understand people questioning an edit, but it might  
12 not be getting back to legal to actually answer. So I don't recall, but I can understand  
13 people asking, but I don't know if the loop ever closed.

14 Q And how often did you meet with Hannah and Austin and the digital  
15 copywriters -- don't take this the wrong way -- from you down basically?

16 A I would meet more direct with Austin.

17 Q Okay. So your meetings tended to be one-on-one with Austin?

18 A Yes, and just larger senior meetings.

19 Q And I'm coming to that. Just right now, I'm talking about you down. So,  
20 from you down, it just tended to be one-on-ones with Austin. And how periodic were  
21 those?

22 A I would say at least once a week.

23 Q Okay. And so you and him, did the two of you ever have conversations  
24 about the edits that you were getting in terms of feedback, of smoothing the process,  
25 things that he could tell the team?

1           A     I don't recall any specifics, especially around this. I'm sure there were  
2     times when he would come to me and be like: Hey, is this something moving forward or  
3     something.

4           I can't recall specifics, but I wouldn't be surprised if we had had those  
5     conversations.

6           Q     Well, usually, when somebody says "I'm pretty sure we would have had  
7     this," it's because at one point in time they've had at least one of them that's pinging  
8     their memory light. Can you in any way remember any conversation that you ever had  
9     with Austin about feedback that you were getting from approvals that would suggest a  
10    different path moving forward?

11          A     It's not about this in this messaging.

12          Q     What was it about, to the extent that it's not legal -- to the extent that a  
13    lawyer not involved, but what was the conversation about that you could remember?

14          A     We would do sweepstakes to meet President Trump at rallies, and there  
15    was -- no one told us, but we were releasing the cities he was holding rallies in, and that  
16    feedback came back from the top that we could not do that anymore, and we had to be  
17    more generic. And so we had a conversation about what does "generic" mean, what  
18    can we say, and so we had to kind of map it out. Again, that one stuck out in my head,  
19    but I'm sure there were others.

20          Q     We don't need to go into the weeds on that. I just want to make sure I  
21    understand what you're saying, that as opposed to saying win a sweepstakes to meet  
22    President Trump at his rally in Orlando, where you actually identified the location where  
23    it would be, it was make it more generic to --

24          A     Florida.

25          Q     Oh, okay. Just like the State level?

1           A    Yeah. If I'm remembering correctly, we probably changed it more to a  
2 State. But, yes, it would be along those lines.

3           Q    Okay. And that makes sense. Going back for a moment when we were  
4 talking about the senior leadership meetings, my understanding is -- and I'm not going to  
5 get all the names right -- but that was you, Mr. Coby. I can't remember if Austin was in  
6 those?

7           A    Yes.

8           Q    And then I'm not going to go through the litany. I understand there were  
9 at least 10 people from what I can remember in those meetings, weekly leadership  
10 meetings?

11          A    I don't know if it got up to 10, but it was around that number I'm sure.

12          Q    To the extent that you can remember, was there ever any discussion in  
13 those meetings of feedback where, "Guys, we need to make this more efficient," like "this  
14 keeps coming back," like "nix this" or "fix this"? Do you ever remember feedback on  
15 things coming back from approvals that required fixing because they were constantly  
16 getting dinged or multiple times dings?

17          A    I don't recall anything in those senior meetings that I can remember  
18 specifically about the approval process and "moving forward, say X, Y, Z instead." But I  
19 don't recall on that one. Yeah.

20          Q    Without the specifics of getting into legal advice, do you remember anyone  
21 from legal ever contacting you directly and saying, "Hey, can we get a correction on this  
22 so that we're not constantly changing this?"

23          A    Again, I don't remember a phone call or anything -- any conversation with  
24 them, but I'm not ruling it out, given the fact that Jenna made the same edit three times  
25 over the course of 2 days. So I could have gotten a call and just been like: Yup, okay.

1           Mr. Steggerda. Just in context, do you remember how many emails were going  
2 out during this period on a daily basis?

3           Mr. Zambrano. We could probably have upwards of six approval chains a day.

4           Mr. Steggerda. And then how long did it take from idea to getting the email out?

5           Mr. Zambrano. It depends if --

6           Mr. Steggerda. Is it a 6-hour process? Is it a 2-day process.

7           Mr. Zambrano. If it was a 2-day process, we're not doing our jobs right. It had  
8 to be quick.

9           Mr. Steggerda. I'm trying to get a sense of, at any given time, how many  
10 fundraising emails during this period do you think somewhere within the creation,  
11 drafting, approval process?

12           Mr. Zambrano. Probably, between text messages, emails, 50 pieces of content  
13 over the course of a 24-hour period, maybe more movement.

14           BY MS [REDACTED]:

15           Q     So would it have even been remotely feasible for anybody to stop you, pause  
16 you, tell you, "hey, this one's getting hanked up," or was it just faster and more efficient  
17 to correct them as they came in, because as you're describing -- actually Mr. Steggerda  
18 makes a good point, if you're getting hit with a barrage of emails where you're looking at  
19 50 content pieces a day, does it even make sense to try to go one by one with, "Well, use  
20 this, not this, use this, not this"?

21           A     Are you saying we're not going to make an edit regardless, so don't make it?

22           Q     No. No. What I -- a point I thought came out of Mr. Steggerda's line of  
23 questioning where he got to the we're looking at these in isolation, we're looking at an  
24 email, not thinking this could be one of 10 approvals, God knows how many approval  
25 emails you got, up to 50 content pieces a day.

1           So, if you're looking at 50 emails and texts, is it realistic to think that approvals  
2 was going to go edit by edit and say, "Hey, we've seen this secure 4 more years," was  
3 there even time for that, given how fast you were moving and how much bulk you were  
4 doing?

5           A     Again, I think you would have to ask legal, comms, and research about it  
6 because I do remember -- not specific to this, but the blanket statement "don't use the  
7 city anymore." Okay, we can implement that. So it's not unheard of to make a  
8 declarative blanket statement "moving forward, don't say this." But I just don't recall if  
9 that happened.

10          Q     Okay. That's fair. So there were some things that were worth the time to  
11 call out and say, "Hey, going forward, don't do this," and there may have been things it  
12 was just moving too fast for that.

13          To the extent that you can remember -- and it sounds like the only one that you  
14 actually remember is that sweepstakes one, what was the mechanism? Was it verbal,  
15 email, phone -- phone and verbal are the same thing.

16          To the extent that you remember kind of like the medium that anybody used, how  
17 did they convey that kind of blanket change to you?

18          A     It could have been all of the above. It could have been me sitting next to  
19 Justin in a meeting. Jenna could have emailed: Hey, don't say FEC deadline. There's  
20 no FEC deadline for this entity. They file quarterly, not monthly.

21          So it varied. But I would say email, but it could have just been: Hey, I'm in the  
22 room with you. Take this back.

23          Q     Okay. And, during the course of searching your documents for responsive  
24 documents, would you have looked for emails of that type? To the extent they're not in  
25 here, is that something you could go back and look for to see if you still have possession

1 of those?

2 Mr. Steggerda. GOP emails? He doesn't have any GOP emails. And the gmail  
3 emails we produced everything that was responsive.

4 Ms. [REDACTED]. Okay. Because you only have access to your personal email left.

5 Okay. I understand that. That's a separate conversation we can have. Don't worry  
6 about it.

7 Mr. Steggerda. The only point I was making on the approvals is that, from my  
8 understanding, if there was a change made, there might already been some phraseology  
9 that was used -- they may have already used that same phraseology in three or four other  
10 things that are in the approval thing, and then it looks there's kind of a -- like it takes a  
11 while for that theme to kind of weed its way out of approval process is probably what I  
12 would --

13 Mr. Zambrano. Right. The approval chain went on the same day. So I  
14 understand that copy was probably already approved and moving in the process before  
15 that edit came back. That's why I was looking at the time. They were both on  
16 November 11th.

17 BY MS. [REDACTED]:

18 Q So, if we saw an email -- if I'm understanding you right, if we saw an email go  
19 out with "secure 4 more years," it's possible that that just didn't get caught before the  
20 "secure 4 more years" got changed to something else?

21 A Or if we were told specifically don't use that, and it went out on the 11th and  
22 12th, and I could chalk that up to it was already drafted, and we didn't know.

23 Q That makes sense. That's helpful to know. Thank you.

24 BY MR. [REDACTED]:

25 Q So let's jump forward. We have November 12th. We go through the end

1       of November. We now get into December. You then have the States certifying the  
2       result December 14th.

3                  Do you recall that happening at the time it was happening?

4                  A      I believe so, yes.

5                  Q      Okay. While all this was going on, do you recall any conversations at the  
6       RNC about whether the RNC's messaging should differ from the campaign's messaging as  
7       for the state of the Presidential election?

8                  A      I don't remember conversations around that. But I wasn't in every meeting  
9       with senior staff or Richard or everything, but I don't remember right now if there were  
10      any.

11                 Q      Do you recall any discussions at the RNC about avoiding discussing the  
12       Presidential election or otherwise claims regarding the Presidential election being stolen?

13                 A      Again, I don't remember conversations of that nature. I don't know -- I  
14      don't recall content changing for RNC, but I don't remember, no.

15                 Q      When you get to after the certification of the votes by the States,  
16       December 14th, and I think, at that point, President Trump, I think he won, by our count,  
17       he won one lawsuit I think around election day regarding Pennsylvania's 3-day voting  
18       timeframe and then since has lost 61 out of 62 lawsuits, I think is the count, something of  
19       that sort.

20                 Does that sound accurate to you?

21                 A      I'm not the lawyers involved. Sure, but again, I don't --

22                 Q      Well, it's not a legal question again, right? I'm trying to get a sense of -- I'm  
23       giving you just a characterization. It's not a legal determination. A nonlawyer can  
24       know whether or not someone -- these numbers, right?

25                 What I'm asking you is, by the time you get to mid-December, is fair to say that it

1 seemed that President Trump had lost the lawsuits that you were talking about  
2 previously?

3 A Again, I don't know the specifics of each, but it did seem to be going that  
4 way. I wasn't questioning as a lawyer -- I honestly don't know the amount of lawsuits.  
5 So, yes, I agree in the sense that your numbers sound right. I don't know.

6 Q So what I'm trying to get at -- so those numbers sound right, and then we  
7 have the States certify the vote on December 14th. I think Senator McConnell comes  
8 out I think around the 14th or the 18th, and he says it's over.

9 Do you recall Senator McConnell coming out and saying it was over?

10 A I don't. That sounds right. I probably did hear that, but I don't  
11 remember.

12 Ms. [REDACTED]. To be fair, I'm not sure if he used the words "it's over." So we're not  
13 being literal there. There was just a characterization of the Presidential election having  
14 been decided and President Biden being the -- I forget the word he used -- presumptive.  
15 I can't remember, but we don't want you to think it was an "it's over" speech, but there  
16 was an announcement by Mr. McConnell on the 14th that was something to that effect to  
17 the extent you remember that.

18 Mr. Steggerda. Do you remember that?

19 Mr. Zambrano. I mean, I remember Senator McConnell speaking around that  
20 time. I don't remember the exact phrasing. Again --

21 Mr. Steggerda. Do you remember if your team wrote fundraising copy around  
22 that statement?

23 Mr. Zambrano. I don't.

24 BY MS. [REDACTED]:

25 Q Do you remember it having any impact -- I say that only because there

1 seems to be -- there were obviously people within the Republican Party who felt very  
2 strongly that it was not over, that Mr. McConnell's message was inconsistent with that  
3 they felt.

4 Did that speech have any impact on you, resonate with you, do you remember  
5 talking with anyone about it? Kind of, do you remember at the time it happening even?

6 A In December, I don't really remember having conversations about it. I may  
7 have at the -- that was around the same time we were moving back to the RNC. We  
8 were in the process of closing down the annex and moving. I don't recall specifics  
9 around that.

10 Q Well, that's actually pretty relevant. Were you closing down the annex and  
11 moving back to the RNC because it was looking a lot more over after Mr. McConnell made  
12 his statements? Was there something around that time that suggested it was time to  
13 move back to the RNC?

14 A The signed lease was up.

15 Q Oh, okay. Was that the determinative thing?

16 A I believe at the time the lease was up that day regardless, and we moved  
17 back to the RNC.

18 Q And there was no discussion of, "well, we could be securing 4 more years,  
19 should we renew the lease"? Do you remember anything?

20 A I'm not involved of that.

21 Q Way above you?

22 A The fourth floor of RNC, which is the chairwoman's office, operations. So I  
23 move where I'm told.

24 BY MR. [REDACTED] :

25 Q What I'm getting a sense of is, by the time you get to late December, after

1       the ratification, after McConnell's statements, now, I think you previously said, on  
2       November 7th or 8th, things weren't looking good, right? So now we are many, many  
3       weeks past that, 6, 7 weeks later. Dozens of lawsuits lost. States have ratified the  
4       results. By the time you get to December, right before Christmas, where do you see the  
5       state of the race?

6           A     Honestly, I don't know around that time what I was thinking in terms of the  
7       2020 Presidential. I was more probably focused on Christmas and having a few days  
8       with my family, as well as the Georgia election that was coming up. That started taking  
9       up a lot more. Again, I'm not saying I wasn't thinking about the Presidential election. I  
10      just don't remember at that time what my thoughts were because we were gearing up for  
11      Georgia and the chairwoman's reelection.

12           Q     Did you think Joe Biden was going to be the next President of the United  
13      States?

14           A     I don't recall what I was thinking at the end of December.

15           Q     Why don't you recall that?

16           A     Because it's been well over a year. I'm not saying I didn't have thoughts.  
17      I'm just trying to remember them.

18           Q     Okay.

19           A     Everyone had thoughts, I'm sure.

20           Mr. Steggerda. Did you feel like it was unlikely at that point that President  
21      Trump was gonna hold?

22           Mr. Zambrano. It looked unlikely, but again, this was the first time I was learning  
23      about the full process of a President being -- I didn't know that States certified. I didn't  
24      know that January 6th until this all came about. So I didn't know all the processes that  
25      went into it. So, yes, it was looking unlikely, but at the same time, I didn't know what I

1 didn't know.

2 BY MS. [REDACTED]:

3 Q Do you remember when you became aware of those processes, to the  
4 extent that there were dates that mattered or things post-election? Like, what's the  
5 first thing to the extent that you can remember being like, oh, oh, wow, there's these  
6 other dates, these other processes, because most of us had no idea what happened after  
7 the election until inauguration. So, for some of us, learning that was kind of a bit of a  
8 blanching like, there's what dates that happens in between.

9 So, to the extent that you can remember, do you remember any moments where  
10 you became cognizant of those things?

11 A I would say the States certifying. I don't remember the date. You said  
12 December 14th, the middle of December. I remember news around that. And, once  
13 that came out, I remember seeing January 6th as a date of -- again, it happened, and I still  
14 don't even know if I'm saying it correctly, but Congress certifying the State results and  
15 then inauguration.

16 BY MR. [REDACTED]:

17 Q So, without belaboring the point, is it fair to say by the time you get to  
18 mid- to late December, it seems very unlikely that President Trump is going to serve a  
19 second term.

20 Is that your take of the state of things?

21 A Yes. I mean, I wouldn't say a hundred percent or anything just because I  
22 don't know, but it definitely wasn't looking likely, but again, I was focusing a lot on  
23 Georgia at that time.

24 Q And you expected Joe Biden to be the next President of the United States.  
25 Is that fair?

1           A    I don't know if I was thinking about Joe Biden being the next President at  
2    that time. I don't think I would think about it in those terms. I just thought it was  
3    unlikely that President Trump would be --

4           Q    But you thought there was going to be a President, right?

5           A    Right. And --

6           Q    Yes. And that President would be Joe Biden --

7           A    -- okay. I'm thinking about President Biden.

8           Mr. Steggerda. Did you think it was likely, in your mind, as best you can  
9    remember, in late December, do you think it was likely that Trump was going to lose at  
10   that time? In other words, you were -- you said it's not looking good earlier? By late  
11   December, was it still not looking good in your mind where your head space was?

12          Mr. Zambrano. It didn't get better.

13           BY MR. [REDACTED]:

14          Q    And it got worse, right?

15          A    Again, I would say yes. I don't know what the outcome of those -- outcome  
16    of legal things not winning doesn't look good, so it doesn't make it look better.

17          Q    Put aside specific lawsuits. I don't want to spend too much time and  
18    belabor these points. Of course, it was looking worse, right? Of course, it was looking  
19    worse. Everyone who had eyes could see it was looking worse. I'm trying to get an  
20    understanding of timing, by the time we get to late December, you had that thought; is  
21    that fair? If you thought -- if it was looking not good on November 11th, certainly on  
22    December 20th it wasn't looking any better, right?

23          So I don't want to belabor the point, but if we get caught up on linguistics, I want  
24    the record to be clear. I want to know what you think, but also, when we hem and haw,  
25    then it makes me think either I'm not being clear or you're purposely not telling me

1 something. So I want to get a clarification from you so we have clarity as to what your  
2 views were at certain times, right?

3 So, you know, when we get to post-certification of the States December 14th, so  
4 before Christmas, what is your take on the state of the race? You are in politics.  
5 You're a senior person at the RNC. It is your job to be aware of these things. So tell us,  
6 what is your take. Is it fair to say you thought things looked bad for President Trump?

7 A Yes. It looked unlikely that he would be serving a second term is more than  
8 likely what I was thinking at the time.

9 Mr. Steggerda. Do you think December in your mind it looked worse than  
10 November?

11 Mr. Zambrano. Yes. Again, I don't want -- I'm not belittling this at all, but I  
12 don't know how much thought I was putting behind that at the time. Again, legal was  
13 running around with their heads cut off with these lawsuits. Like they invested  
14 research -- other departments may have been more involved in living the day-to-day. So  
15 I'm not trying to say I didn't think about it; it's just might not have every single day  
16 crossed my mind. So, to the extent I did think about it, I realize it was trending worse.

17 BY MS. [REDACTED]:

18 Q Let me ask you a question on that because it sounded like, from what we  
19 were learning, that those things really didn't impact digital fundraising. Digital  
20 fundraising was a machine that, until somebody turned it off, kept running. So, to the  
21 extent -- to borrow your phrase a moment ago -- to the extent that legal was running  
22 around like a chicken with its head cut off worrying about all these lawsuits, it didn't  
23 really impact digital fundraising; did it?

24 A It impacted -- of course everything that happened in the campaign or in the  
25 RNC impacted what we could do, could say. But to the extent that online fundraising is

1       24/7, it -- we never stop fundraising. It's a matter of what we're fundraising off of or  
2 with. So I don't see it as: Well, you guys are continuing to go because no one told you  
3 to stop or something -- it's just, by nature of online fundraising, it's much different than  
4 major donors and direct mail post-election day, even if the race isn't called. It's just a  
5 different fundraising channel that is more or less on all the time.

6           Q     And just on that point, is it on all the time as long as you have something to  
7 consistently feed it, right? So, if there's a person still speaking, if there's a President still  
8 in power, if a President is still messaging, if lawsuits are still being filed, if recounts are still  
9 being demanded, there was -- for lack of a better word -- red meat to feed the beast,  
10 right? So why would it stop?

11          A     It's not as if every single piece of content between election day and January  
12 6th sent out was about that.

13          Q     Was about what?

14          A     The election.

15          Q     What else do you remember it being about after the election up until  
16 January 6th?

17          A     There were pretty generic evergreen emails that went out.

18          Q     What's an evergreen email?

19          A     You could send it any time. Well, not any time, but --

20          Mr. Steggerda. Are you talking about like an end of quarter or match? What  
21 are you talking about?

22          Mr. Zambrano. Deadlines are obviously a different thing. This isn't evergreen,  
23 but surveys. The Christmas card to the First Lady and the President. That's not about  
24 the election. It's about Christmas.

25          So, I mean, majority of our content was, but regardless of, you know, look at the

1 post-2012 RNC email fundraising. They still have to fund-raise online. I know you lost  
2 in 2012, and it's going to be a rough December for fundraising. It still has to happen.

3 BY MS. [REDACTED]:

4 Q Who lost in 2012?

5 A The RNC and Mitt Romney, but RNC continued to online fund-raise in  
6 December.

7 Q Okay. You're saying, I know -- when you sent the email: I know you lost,  
8 but you still have to keep fundraising. Like there's still messaging that goes out?

9 A There's still content all the time for digital. It just happens to be that this  
10 was election-focused, but I was giving example of the Christmas card as we have other  
11 programs too.

12 Q No, that makes sense. And I guess, to my colleague's point before, as  
13 things are happening in December, sitting here today, they are getting worse, right, in a  
14 sense?

15 But our understanding is that that's not what was going out, obviously. So, if the  
16 fundraising emails put in "there's lawsuits being filed in, you know, Wisconsin and  
17 Michigan," when a lawsuit was dismissed weeks later, you weren't putting that in emails,  
18 right?

19 I'm asking a somewhat obvious question in the sense that it wasn't a new service.  
20 If you sent out an email saying "we're fighting the fight in Wisconsin and Michigan," when  
21 you lost the fight in that State, you didn't put that in a fundraising email because why  
22 would you get people --

23 A I suppose yes, but we also wouldn't knowingly send out "we're fighting in  
24 Wisconsin and Michigan" after the fact too. So it's not like we would be -- like we  
25 wouldn't knowingly want to send something like that out.

1           Q     Oh, no. And I'm not saying you did. What I'm saying is that you were  
2 sending out things saying: We're fighting the fight, et cetera.

3                 And, at the time it went out, there was a fight being fought in Wisconsin. You  
4 did not subsequently update them and say: We're losing the fight in Wisconsin. We've  
5 lost the fight in Michigan. Right? There was no subsequent emails because you  
6 weren't a news service. You were fundraising mechanism, and the fundraising  
7 mechanism presumably needs to keep up hope or a reason to donate. Is that fair?

8           A     Yes, but I wouldn't -- updates like that as a news service --

9           Q     I'm making this more complicated than it needs to be. The average person  
10 who's actually watching the news or even just listening to water cooler chatter, to my  
11 colleague's point, the average person, as it's getting closer to January 6th, post-election,  
12 is seeing that Trump is losing the -- what did you say, it's not looking good, and then it's  
13 looking worse from not looking good, right?

14                 That's not the tone of the messaging, though, that's conveyed in the fundraising  
15 emails post-election up to January 6th; is it?

16           A     I don't believe -- I don't obviously know the tone of every single email, but I  
17 would agree that it probably mirrored more of the President's messaging.

18           Q     Which was what? If you had to characterize the tone of the messaging  
19 post-election up until the spigot is shut off during the attack on January 6th, what is the  
20 tone of fundraising messaging?

21           A     Again, I don't know the blanket statement, but looking to what the President  
22 was messaging at the time would be -- or surrogates of the legal team, that would be the  
23 source material for a lot of fundraising.

24           Q     And what was the tone of that fundraising? Like to the extent that you  
25 would characterize it? Let me put it this way: If I said, "We can fight the fight, we

1 need to finish the fight, we need to raise money for all the litigation, we need your help,"  
2 the tone is there's hope and there's a possibility that something's going to change  
3 post-election up through January 6th. There's fundraising emails going out on January  
4 6th that something can still be done.

5 There's a tone of the possibility that something can be changed going all the way  
6 up through January 6th, right because the President is saying that --

7 A I would say that the President's messaging, which impacts the copy, is  
8 fundraising. That's the thing that can impact.

9 Q So there are -- I'm sorry. I didn't mean to cut you off. Please finish your  
10 thought.

11 A I was going to say the raising of money is the something that these emails  
12 were drafted about.

13 Q I cut off probably one of your most important points. I just want to make  
14 sure I understand.

15 Can you say that last part again?

16 A The call to action on these emails would be fundraising-specific.

17 Q Right. And so am I understanding you correctly that that was the purpose  
18 of the tone?

19 A The tone was the sourced from the President. I don't know what  
20 his -- what drove his tone. Asking for money with the messaging is online fundraising.

21 Q Right. And grabbing that tone regardless of whether anybody thought it  
22 didn't look good or it looked worse in December, doing that fundraising, regardless of  
23 whatever everything else was telling you, the purpose was to make money and fund-raise  
24 during that time using those emails?

25 A The purpose of any online fundraising program is to make money. Again,

1 not every single email was pertaining to that.

2 Q And I understand that. Let me be even more blunt. There were people  
3 that told us that they did get concerned with the tone of the fundraising because of what  
4 they were seeing in real life versus what was going out in those emails.

5 Mr. Steggerda. Who was that?

6 Ms. [REDACTED]. We're not at liberty to say the specific witness.

7 BY MS. [REDACTED]:

8 Q But did you ever feel those concerns?

9 A Again, as I've said over the course of the 4 hours, that the phrasing is not  
10 what I would say. The messaging wouldn't always be what I say. So it's tough to  
11 blanket statement yes and no, approved or not. I understand the tone. I understand  
12 how these messages were drafted with the source material coming. I don't know what I  
13 was thinking throughout that time period with regards to the specific fundraising.

14 Mr. Steggerda. Do you know of intention by your team in the weeks leading up  
15 to January 6th to incite violence that occurred on January 6th through the fundraising  
16 messaging?

17 Mr. Zambrano. I don't know of any. No, I don't believe so.

18 Ms. [REDACTED]. I'm so sorry --

19 Mr. [REDACTED] -- he just said no plans to incite violence.

20 Ms. [REDACTED]. Oh, okay. Sorry.

21 BY MR. [REDACTED]:

22 Q When you said you wouldn't have written it -- you might have written it a  
23 certain way, did you have concerns -- is it fair to say you had concerns about the tone of  
24 the emails?

25 A Again, as I've said, the tone of the emails is coming from the --

1           Q     I'm going to interrupt you. I'm not asking you where it's coming from.  
2     We get where it's coming from, Trump. I'm not asking you whether you would have  
3     written it differently because that sounds linguistic.

4           I'm asking whether you had a concern about the tone of the emails that TMAGAC  
5     was sending out post-election. You suggested you would have done something  
6     differently. I get it comes from President Trump.

7           I'm asking whether you, as an observer and somewhat of a participant through  
8     your job, did you have a concern that these emails were being sent out telling people that  
9     you wanted to raise money off them, that the election could still be won, that President  
10    Trump could have potentially 4 more years, that something could happen, when you,  
11    yourself, said things were looking not good and then even worse?

12           Did you have a concern about the tone of those emails?

13           A     Again, I state I didn't write the emails so -- if I did say --

14           Q     Did you read the emails?

15           A     I'm answering. I'm sorry.

16           Q     I mean, because we'll be here for 5 hours if we parse out forever. We're  
17    asking a very specific question. We know you didn't write them. We know a lot of  
18    about these. We've known who's writing emails. We've spoken to a lot of people.  
19    We're not asking about that, right?

20           You are RNC chief digital officer. Did you have concerns about the emails that  
21    your subordinates were writing? Did you have concerns about the tone, the messaging?  
22    Did you have concerns? That's what we want to know.

23           A     Again, I don't recall every single email that went out over the course of that.  
24    I can't recall specific conversations or thinking about it in the sense that, again, I keep  
25    going back to, would I have phrased it the way that it was? Probably not. But, again, I

1 wasn't writing the emails, so like I don't recall seeing the tone of emails outside of the  
2 President's messaging and thinking -- I could think I would phrase it differently or I would  
3 think differently, but overall that is the tone of the candidate.

1

2 [2:22 p.m.]BY MS [REDACTED]:

3           Q     So let me clarify something that might be helpful. I'd like to think, and I'm  
4 pretty sure that I don't believe anybody sat there thinking there's a really good chance  
5 that this incites violence on January 6th, or even violence at all. So I want to take that  
6 off that when we're saying concerns in the sense that like a generalized concern, not this  
7 email may cause people to storm the Capitol, right?

8           So to Mr. Steggerda's point, we're not sitting here saying, did you worry at the  
9 time that these emails were drafted that people would end up, you know, attacking the  
10 Capitol? So let's take that aside. What we're really trying to figure out is that there  
11 were at least some people who had generalized concerns about the tone of the emails,  
12 the ramifications of the digital fundraising being very different than what was happening  
13 in reality, in real life, understanding that the online fundraising messaging could be  
14 coming straight from the President.

15           Conversely, there are people who we've talked to who have said, with hindsight,  
16 having seen what happened, would I do things differently? Absolutely, because  
17 something like this kind of makes you sit and think in a way that we didn't have to do  
18 after a decade of political fundraising activity that didn't lead to an attack on the Capitol  
19 that might have been just as inflammatory.

20           So, what we're trying to figure out is to the extent that you got to a place where  
21 some part of you is saying, I would have worded that differently, I might have done that a  
22 bit differently, I might have taken a different tone, to the extent that there is any, I would  
23 have done that differently.

24           Did you have any of those concerns prior to January 6th, or were you more in the  
25 bucket of people who after January 6th when all of a sudden, a spotlight is being shown

1       on the mechanics of digital fundraising and what's in these things; possibly from both  
2       parties, possibly not, but are the concerns pre-January 6th to the extent that you have  
3       them? Were the concerns hindsight post January 6th, or because there's always a third  
4       bucket, did you never actually have any concerns because this is just how political funding  
5       is? We're just trying to get that from you.

6           A     I see -- I don't see the fundraising content as why the Capitol was stormed.  
7       So I believe the people who stormed the Capitol for that, they can answer to their  
8       motivations. So a pre-January 6th, post-January 6th hindsight would lead me to believe  
9       that this is why it happened, and I don't believe that. I don't believe that this is the sole  
10      source of what happened on January 6th.

11       Q     Oh, and let me be clear --

12       A     And I --

13       Q     -- to the extent that I suggested that people storm the Capitol because of the  
14      fundraising emails, solely, that is not what I'm saying at all. We are charged with looking  
15      at the myriad number of factors that led to, and there were a lot that led to the events on  
16      that day. So please do not think that I am putting some giant weight on it was the  
17      fundraising mails.

18           But just to give you an idea, on January 6th, when Salesforce took some kind of  
19      action against the RNC's account, in their public statement, they said something to the  
20      effect of shutting down the use of emails that would lead to politically incited violence.

21           So there were some, at least, that thought it was a possibility that the language in  
22      those emails was in some way contributing to the incited violence, which is then  
23      something we investigate as the investigators looking into all of the factors that could  
24      have led to it.

25           So with the understanding that it is one in a bucket of factors that we're looking

1 at, we're just trying to get an idea from the people who are involved the facts and  
2 circumstances surrounding that, which why we ask you, did you ever have any concerns  
3 about the language or the tone of the emails at any point in time? And maybe that's the  
4 easiest place to start.

5 A I am sure, again, going back over my course of 10 years, I am not 100  
6 percent agreed with every single piece of content that goes out. So I'm sure there are.  
7 I have don't specifics that are calling out to me, but I am sure there is something that  
8 would go back and tweak or, yes.

9 Q And let me be even more clear. Sitting here today, do you remember ever  
10 having any concern about the tone and messaging of these emails, post-election,  
11 pre-January 6th, any more than your kind of normal amount of, Oh, I wouldn't have done  
12 it that way? Was there anything different about these emails that gave you cause for  
13 concern than your average, maybe hyperbolic or inflammatory email that you may or may  
14 not have agreed with? Because that's not really what we're asking about understanding  
15 that. We're really asking about that post-election, pre-January 6th time. Was there  
16 anything about the tone of those emails that gave you greater-than-average concerns in  
17 digital fundraising?

18 A Again, I would have to look at them all. I'm sure there are some that I  
19 would point to if every single piece of content was in front of me. As an RNC employee,  
20 I would have liked to focus a lot more on Georgia in terms of fundraising. We started to  
21 in December. Again, this far removed, I am sure there are email or texts that I would  
22 point to in this timeframe, but I don't recall right now.

23 Q When you say emails or texts that you would point to, to say that you  
24 disagreed with them the way that you normally would, or to say this is level of tone that  
25 was different than the average that would have given me greater cause for concern than I

1 would in my normal disagreement?

2 A I would say it's probably greater concern than normal. But, again, I'm not  
3 really into specifics.

4 Q And I guess we're trying to get out of the pinning you down -- we're not  
5 trying to pin you down on one email versus one text gave you cause for greater concern.  
6 What we were trying to ask is you've done this for a long time, you've probably seen  
7 some come and go and you're, like, not the way that I would phrase it. Because this was  
8 obviously a very specific time, and some of these emails, their content, based on what  
9 you said about what you thought was happening, in November and December, would  
10 have been very different than what you were seeing. And we've heard from other  
11 people that registered with them. It registered with them at the time that the  
12 messaging of the emails was inconsistent with what they were seeing in reality.

13 And all we're asking you is did it register on you as well. And it sounds like at  
14 least one or two of them may have, you just can't remember which one. Is that fair?

15 A I would say that's accurate.

16 Q Okay. And I think it's helpful to characterize that because we don't want to  
17 mischaracterize it, but we just want to understand your opinion and your recollection.

18 Mr. [REDACTED]. Let's take a recess for 5 minutes.

19 [Recess.]

20 BY MR. [REDACTED]:

21 Q All right. Mr. Zambrano, so the last time we talked to you, we talked about  
22 a company named AMMC. Do you remember that?

23 A Yes.

24 Q And one thing we've -- you know, we've talked to you, we've talked to a lot  
25 of people from both the RNC, and the campaign. And the consistent thing that we've

1 heard is from numerous individuals that this company was effectively a kind of  
2 pass-through company that the folks who -- the ones, the people who worked there were  
3 just campaign individuals. And it's served as a buying purpose for the campaign to  
4 purchase media at, perhaps of that nature. And you provided us some thoughts about it  
5 the last time that we spoke. I wanted to just circle back and see does that comport with  
6 your understanding of what AMMC was as a kind of extension of the campaign, or did you  
7 have different take on it?

8 A I don't know the full employee or ownership or anything. I don't know the  
9 full extent of services. I only know it from a digital standpoint of -- I believe, it was  
10 involved in -- again, I only know it from the TMAGAC side too, not even DJTFP. But it  
11 seemed that it was facilitating working with prospecting digital ads and vendors related to  
12 that, at least when I initially began knowing about AMMC.

13 BY MS. [REDACTED]:

14 Q Do you remember how you came to learn about it?

15 A I have -- I don't know if this is the first time I interacted with it or anything.  
16 I remember email with an invoice from a vendor, and I believe it was Brad, Brad Parscale.  
17 I don't know if it was he who replied that this should go -- this should be invoiced to  
18 AMMC.

19 BY MR. [REDACTED]:

20 Q So just to put a fine point on it. Would you agree that from your  
21 understanding, AMMC was effectively a kind of extension of the campaign, like it was  
22 under the campaign's control?

23 A Again, I don't know the full extent of who was involved in it, and I cannot  
24 speak for the campaign finance on their side. From TMAGAC, though, it was assisting on  
25 TMAGAC JFC work as well, not from --

1           Mr. Steggerda. From your impression, who did you associate with AMMC? Any  
2 particular people?

3           Mr. Zambrano. Brad Parscale, who I believe was the one who said this invoice  
4 should go to AMMC. I don't know his role there. I'm not saying that he had a role  
5 specific to AMMC. I'm trying to remember if there was anyone else on the campaign  
6 that --

7           BY MS. [REDACTED]:

8           Q     We don't want to take make this too complicated. When we asked you  
9 about this last time and we said, are you familiar with AMMC, I think your response was  
10 literally, oh, you mean the pass-through? You actually used the word pass-through, we  
11 didn't. So that's why we were just confirming what you said last time, and then we were  
12 just going to ask you when you said that it was a pass-through, like, what did you mean,  
13 because we've had descriptions from other people that were consistent with that. We  
14 just like to get every individual's understanding when they use the term "pass-through,"  
15 what do they mean by that in case it's not a commonly -- like, in case one person uses it  
16 differently than the other?

17           So we're not trying to kind of like trick you what you know, we're just literally  
18 following up on, last time when you told us it was a pass-through, what did you mean by  
19 that to the extent that you can expound and explain what your understanding of how it  
20 was a pass-through is.

21           A     I'm not doubt -- I don't know if I used that. If I did, I don't recall it. So,  
22 again, I don't -- I am not a buyer, I'm not an ad buyer, I don't do TV. I stick with email  
23 and text messages. So I don't know if there is a case to be made when buying  
24 everything all at once for volume discounts or something, I don't know. Ask the ad and  
25 TV people because they're smarter in that world than I am.

1           Mr. Steggerda. But do you know who set up AMMC?

2           Mr. Zambrano. Again, I associate Brad Parscale with it, but I don't know if he set  
3       it up.

4           Mr. Steggerda. You don't know if Mr. Parscale set up AMMC?

5           Mr. Zambrano. I don't recall knowing, no.

6           BY MR. [REDACTED]:

7           Q     Is there anyone else you associate with AMMC?

8           A     I mean, I associate vendors invoicing AMMC. I don't associate them  
9       working for AMMC.

10          Q     So that's what we're trying get at, because Mr. Parscale effectively steps  
11       down in July of 2020. So any -- and you, I think, confirmed you did things related to  
12       AMMC post him stepping down. So if AMMC is operating, who's operating on behalf of  
13       AMMC?

14          A     So AMMC, I believe, exists after Brad Parscale steps down, because I don't  
15       know if he was involved in day-to-day running it or anything. I don't believe I submit any  
16       invoices direct to AMMC on behalf of vendors. I don't know the person of contact for  
17       vendors to submit invoices to, because I don't recall myself ever having to be like, Hey,  
18       just FYI, Hey, AMMC pay this. So I would imagine that vendors had their own point of  
19       contact. I don't think I interacted with anyone from AMMC. I'm trying to remember.

20          Mr. Steggerda. You don't remember a point of contact after you --

21          Mr. Zambrano. I don't even know if Brad was the point of contact other than he  
22       said it should have gone to AMMC. He didn't say who, I don't believe, I think he just said  
23       they should go to AMMC.

24          BY MR. [REDACTED]:

25          Q     I guess when folks discuss AMMC, did you think of it as the way if someone

1       says, you know, this should go to, I don't know, Apple or Salesforce, right? Someone  
2       says it should go to Salesforce. That's a separate entity and a separate company. Or  
3       did it seem like a way to kind of file documents, handle particular invoice, but it was  
4       within the kind of campaign unit? What was your sense of that?

5           A     Again, I didn't have a lot of interaction with it because I wasn't involved in  
6       the ads. So those complicated invoices and everything that they deal with they dealt  
7       with on their own direct with AMMC. I believe it was borne out of the campaign. I  
8       don't know to the extent at which the relationship existed, because, again, I only cared  
9       about it from a TMAGAC standpoint.

10          Q     I mean, but you did tell us, and looking at the notes of our last meeting, and  
11       you said that it seemed odd to you that AMMC was formed in the middle of a cycle, that  
12       it was at the start of a year, or something along those lines, a new invoicing process, and  
13       how it seemed odd to you that the process changed. Do you recall discussing that?

14          A     I do, and, again, I don't know if -- I believe it was middle of a cycle. I don't  
15       know if that's actually the case of when it was -- I don't know when it was formed. And I  
16       don't effectively remember when I was told, Hey, this invoice should go there. It could  
17       have been much earlier than I recalled. I just am getting the dates wrong. So I do  
18       want to clarify that. But I'm not saying that because I thought it started mid-cycle, it  
19       actually did, since some time kind of went out the window.

20          Q     Because you also say you understood it as a way to pay not just digital  
21       vendors, but others as well, to pay out multiple vendors. Is that how you think about it  
22       still that it was a way that the campaign paid vendors?

23          A     From what I know is that it was invoices. So, yes, the vendors that we were  
24       working with would invoice AMMC. Again, I can't speak to the full services offered by  
25       AMMC, but --

1 BY MS. [REDACTED]:

2 Q Are you aware of a single one other than processing invoices?

3 A I only was involved in -- well, I was not even involved. I just know that  
4 vendors submitted invoices.

5 Q And I guess what I mean is, is the same way that you kind of heard from  
6 people, vendors submit invoices directly to AMMC, did you ever hear of AMMC doing  
7 anything other than accepting invoices submitted by vendors?

8 A I don't think I did, but I don't think I heard much more about it, but I also  
9 don't recall talking a lot about it is what I'm saying.

10 BY MR. [REDACTED]:

11 Q Something you also mentioned the last time is that it was your impression  
12 that AMMC was -- you talked about being used to minimize reporting details to the FEC.  
13 So we wanted to follow up on that. You said that was your impression.

14 A And I might have phrased that -- I don't know why AMMC was formed. You  
15 can ask the campaign -- well, I believe you have the authority to ask the campaign that.  
16 But it did seem to me that vendors were now being paid out of AMMC.

17 Q So I think you talked about it is you were more familiar with direct vendor  
18 payments, and that this indirect vendor payment system was something else, something  
19 you were less familiar with. So is that kind of what you're getting at here?

20 A Yes, so, again, to the extent that I had been involved in invoicing, which was  
21 relatively new with the RNC and my other roles, I didn't work with the compliance or any  
22 department there, the RNC, at least in the 5 years I was there, had the more direct  
23 invoices would go to the RNC and get paid out. I don't want to speak to the 2016  
24 campaign or the 2020 campaign, but I had a more direct relationship with vendors leading  
25 up to 2020 I would say.

1           Q     So narrowing down on the reporting details, what made you -- what  
2     motivated that impression? Where did that come from? You said that AMMC being  
3     used to minimize reporting detail. Is that because of the vendors are all -- if all the  
4     vendors go through AMMC, and then the reporting details are then left than the  
5     otherwise (ph), if the committee itself was paying the vendors?

6           A     Again, I don't know if this was in lieu of committees paying. I believe we  
7     are -- like, I don't want to get into this. AMMC, I -- again on TMAGAC, I would imagine  
8     that it is AMMC getting paid.

9           Q     Yeah. And then --

10          A     And then --

11          Q     -- which just to be clear, it's public, right? We don't even have to guess,  
12     right?

13          A     AMMC was paid by TMAGAC and DJT for President.

14          Mr. Steggerda. Do you believe that the effect of that was that ultimate vendors,  
15     then, don't get publicly recorded? Or do you have that level of understanding of how  
16     the FEC rules work?

17          Mr. Zambrano. I believe that's the case. I don't know if that was the extent as  
18     to why it was set up. I believe that those vendors are now reporting the same way they  
19     may have been.

20                 BY MR. [REDACTED]:

21          Q     And what I want to know is, did you have conversations with anyone that  
22     you can recall that was the basis for this FEC kind of angle here that -- because, again,  
23     what we have down is that you said that it was your impression that AMMC was probably  
24     used to minimize, reporting details to the FEC.

25          A     I think --

1           Q     And you said you couldn't recall at that point a specific conversation, but you  
2     had that impression. So I want to just -- if you can, kind of give some thought to you,  
3     what was that impression based on?

4           A     I guess the impression would be that vendors who had normally invoice  
5     directly, were now saying they were invoicing a different way. And being around  
6     committee world for as often as you are, I will tell you, people go to the FEC to see what  
7     people are spending to see what, frankly, others are making as salary.

8           So, yeah, I unfortunately that has been brought to my attention multiple times  
9     that someone else was not making as much because of the FEC. So, I guess, yes, I  
10    probably noticed the payments, FEC to AMMC, and that mixed with vendors saying -- I am  
11    trying to remember specific vendors that I would connect with, saying that they were not  
12    going through AMMC, which was not the case in 2017 or 2018.

13          Q     Thank you. Are you familiar with a company named DataPier?

14          A     Yes.

15          Q     And --

16          A     I am familiar with the idea. I don't know the extent of the company, but  
17     yes, I am familiar with it.

18          Ms. [REDACTED] It felt like a loaded, yes. You need time to answer.

19                 BY MR. [REDACTED]:

20          Q     Tell us what you know about DataPier?

21          A     I don't know full services, what they offer, or anything. I associate two  
22     people with it. I don't know titles, roles, or anything. Alex Cannon and Sean Dollman.  
23     Obviously, the name is kind of telling you what it is. I believe it was a data firm.

24          Q     What does that mean, a data firm?

25          A     It was my -- I'm trying to remember where I would have gotten this from.

1       But I believe it was becoming or trying to become, again, as DataPier or the campaign,  
2       whatever blessed this entity, a data brokering firm.

3           Q     What does that mean, in basic language?

4           A     Brokering data is getting potential donor data to other entities to rent or get  
5       access to, to try to get these donors to give to their entity.

6           Q     Let's try to simplify this. This public reporting that DataPier was the Trump  
7       campaign trying to kind of get its own email list, ready to go post-election. Does that  
8       sound right?

9           A     That could be part of it, yes.

10          Q     Well, I'm not asking what could be. I'm asking whether does that help kind  
11       of refresh your recollection as to what it is.

12          Mr. Steggerda. What do you know about it?

13          Mr. Zambrano. I mean, I believe it was trying to get emails ready to put on the  
14       market for data brokering.

15           BY MS. [REDACTED]:

16          Q     Even more specifically, emails that were prior to the creation of DataPier  
17       kept in the RNC Salesforce account that they would not have access to if some  
18       relationships ended and they no longer had access to the RNC Salesforce account, did you  
19       ever hear anybody discussing that?

20          A     I am trying to recall again. That right there sounds like a very high-level  
21       conversation. So I don't know if I would have been involved in that. I believe the  
22       Trump campaign and the RNC kept a copy of everything -- because of the JFC, they each  
23       got a copy. So I can't speak to it --

24          Q     They each got a copy of what?

25          A     Donors, supporters signed up through the JFC.

1           Q     It's your understanding that the campaign got a copy of a list of the donors  
2     that were maintained in the RNC Salesforce database?

3           A     I don't know if that's the root of what they were, getting. So if it is, I don't  
4     know about it, but I believe the setup of a JFC is so that both entities can own the data.

5           Q     Right. But is there -- yeah. Is there a value to having a raw list like that?

6           A     What do you mean, a raw list?

7           Q     A list that hasn't been sent to. Like just if you just have a bunch of emails,  
8     can you, to the best of your knowledge, can you just start blasting emails out because you  
9     have a list?

10          A     No.

11          Q     What would you have to do?

12          A     You would have to do what the industry would call a warmup.

13          Q     Which would entail what?

14          A     Purchasing domains, IP addresses, and slowly working through the file.

15          Q     Did you have a reason to know that that's what DataPier was doing?

16          A     I believe that they were on the process of getting ready to broker data. So  
17     it would make sense that a warmup would be happening too, yes.

18          Q     Are you deducing that now from our conversations, or at any point in time,  
19     did you hear from anyone, water cooler gossip, I don't know, and I don't care who told  
20     you, but at some point in time did somebody else tell you what DataPier was doing  
21     warming up IPs?

22          A     I vaguely remember IP conversations around this time. It might be for  
23     future 2022 RNC contracts. It might have been around this. I did get a sense that  
24     DataPier was in the process of warming up. I am trying to remember the source of that,  
25     or if there was a specific person. But I guess there was that going around that DataPier

1 formed -- I don't know why.

2 Q You never heard anybody even speculate the why? Because it seems like  
3 something that might go around in terms of water cooler gossip, especially at the RNC, in  
4 terms of what they were doing and the why of why they were doing it.

5 A I guess it could be, you know, going around just gossip. I live in warmups  
6 more so than most people, so it's not a completely an uncommon practice.

7 Q What do you mean by that? Like, I just don't understand when you say, I  
8 live in warmups?

9 A I don't live in warmups, but I've done so many warmups over the past  
10 10 years. You know, win, lose, draw, whatever. Like candidate or a campaign is  
11 putting their list on the market.

12 Q So the natural staff?

13 A Right, even winners after these -- in come January 6th, President  
14 Trump -- Biden is confirming everything -- it would not be uncommon for people who win  
15 Senate seats for the 4 years they're not running to put their list on the market.

16 Q When would that normally happen?

17 A Again, it would vary. I have only been on -- I've only done three  
18 presidential cycles. I only involved with Mitt Romney.

19 Q To be clear, that's three more than a lot of people who worked on that  
20 presidential cycle, so don't sell yourself short.

21 A Thank you. I was not involved in Mr. Mitt Romney warmup, but that list  
22 didn't go on the market after the election.

23 Q I know that was a while ago, but to the extent that you can remember  
24 ballpark, like whether there was a warmup period, just like compare and contrast, we're  
25 trying to figure out, was it a normal time period? Was it late? Was it early?

1           A     I would say, again, back then, this was my first job. So my 10-year-old self,  
2     don't ask because he would be stupid about it. I would say it was probably normal time  
3     in 2012 when you need to probably convince an entity to do this. It wasn't common  
4     sense to do it in 2012. Now, it is.

5           Q     Can you unpack that for us, just like basic IP warmup 101? Like why was  
6     the timing different? Why was it not common? Is that just because of, like, the  
7     timeline of the increase in digital fundraising? Just for lack of a better word, just school  
8     us a little bit on what you meant by that.

9           A     Again, in 2012, online wasn't the predominant fundraising factor. So it was  
10    an afterthought. So putting something on the market as a way to raise money for an  
11    entity probably wouldn't be in the forefront of closing out a campaign.

12          Q     So nobody thought about the possible value of the lists because the lists  
13    weren't perceived to be as valuable then?

14          A     Again, that is my take on it. If you ask 2012, people, I'm sure they would  
15    say things differently.

16          Q     And then to the best of your recollection, when does that process normally  
17    happen? Is it before the election? Is it immediately after the election? Like what's  
18    the timing of the warming up IPs kind of thing?

19          A     It would vary. I could see it before the Election Day happening if you don't  
20    already have a system that's warmed up.

21          Q     Okay.

22          A     Otherwise, you would just probably operate under a similar setup that you  
23    had going into Election Day, and you would just continue that, maybe change domains  
24    and warm up a couple new IPs or something. But if there was no infrastructure, then I  
25    guess you would have to build it.

1           Q     I guess what I'm trying to figure out is my understanding is the reason that  
2 you would do this would be to have things in place so that after an event, you can send  
3 emails out from these IP addresses, right? So presumably, in Romney's case, if they lost  
4 the election, they would have IP addresses ready to go that they could continue sending  
5 out, either from the Romney campaign or maybe from like a leadership PAC or  
6 something. Like what's the -- I guess, walk me through the purpose of -- walk me  
7 through the purpose of the warmup of IPs after a campaign is done.

8           A     So warming up new IPs, A, you can kind of start fresh. You don't have to  
9 deal with any sort of deliverability issues. You may have had on older ones, if you kind  
10 of hammer them going, for lack of a better term, into Election Day when the volume is  
11 much higher. So unsubscribes that could hurt your reputation. So you might want to  
12 warm up new ones after.

13          Q     And I guess what I'm asking is, is that common that it's right after the  
14 election, so you have hit them with all of these emails? You may have lost some people  
15 because you have bombarded them with emails. You take those same email addresses  
16 and you warm them up using different IPs in order to be able to resind to them. Is that  
17 right?

18          A     I don't know if it's the same email addresses. I'm not -- it could be all email  
19 addresses minus people who have unsubscribed or something --

20          Q     Okay. But essentially reducing deliverability issues to the people on that  
21 list, right?

22          A     That's the whole goal of it, yeah. The email in general -- get the email in  
23 front of people, so yes.

24          Q     And if somebody was asking you when would you expect that to happen,  
25 would the answer be right after the election?

1           A    It might sound weird, but a lot of times as a digital marketer, I would want it  
2 to start right away.

3           Q    What do you mean, "right away"?

4           A    Right after an election or something, yes.

5           Q    Okay. If you -- why would you wait? Like if somebody -- why would you  
6 wait to, you know, weeks if not months after an election, to warm up IPs? And I  
7 understand I'm asking to you speculate. I'm just asking based on kind of your kind of  
8 experience in the area, given that you would normally start right after an election, what  
9 would be a reason that somebody might wait?

10          A    They're not sure what the organization is that is warming up. It could be  
11 that it's an afterthought. Other things are being decided and then, Okay, we'll get to  
12 this later, it's fine. I don't know in this case. I don't know. Those would be my two  
13 big ones. But, again, I'm not certain about what specifics were here.

14          Q    Okay. That makes sense.

15           BY MR. [REDACTED]:

16          Q    Are you aware of TMAGAC emails being sent by DataPier?

17          A    The TMAGAC emails, you mean, creative or?

18          Q    Yeah, emails that went through the TMAGAC approval process, then being  
19 used as a copy for DataPier emails?

20          A    Yes. That's, I guess, what I was referring to with the email brokering.

21          Q    When you say brokering, do you mean that DataPier would pay TMAGAC?  
22 Or are you talking about the eyes of brokering to mean in the future, DataPier could  
23 monetize that list going forward. Is that what you're talking about brokering?

24          A    I believe that was the case, yes.

25          Q    So I'm not asking about that. I'm asking in order to warm up emails, are

1       you aware of DataPier sending TMAGAC-approved emails in order to warm up the  
2       DataPier IP addresses?

3           A     I'm trying to remember if I knew that in that context, or if they were sending  
4       as an email broker because it --

5           Q     I'm asking about the warming up process, so.

6           A     That could be involved in both.

7           Q     Okay. So put aside the brokering, though, I'm asking to warm up the IP  
8       addresses, are you aware of the use of emails that went through the approval process  
9       being used, or not aware?

10          A     I believe -- I am trying to remember. I believe I knew TMAGAC emails were  
11       being used. I don't know if it was specific to a warmup or email brokering. So I could  
12       be confused on that part, but I do believe that DataPier was using approved TMAGAC  
13       emails.

14          Q     And how would you have known that?

15          A     I am trying to remember, but I believe it was -- I keep saying brokering,  
16       because I believe it was introduced as an extension of our prospecting or anything like  
17       that, and it was viewed as a different broker. I could be misremembering that. I didn't  
18       have a lot of interaction direct with DataPier.

19          Q     Are you saying that DataPier would have paid either TMAGAC or the RNC for  
20       use of those emails?

21          A     I don't believe that was the case.

22          Q     I guess I'm asking a very specific point. Are you aware of DataPier  
23       sending -- we've looked at emails, right?

24          A     Uh-huh.

25          Q     And I'll tell you DataPier got TMAGAC emails to your approval chain and then

1 used them. Are you aware of that or just not aware of that?

2 A Again, I believe I am aware of it in that I thought it was an additional broker  
3 that was being brought on. I don't know, but the --

4 Q When you're saying additional broker --

5 Mr. Steggerda. He said he's not sure exactly what they use them for, but he  
6 thinks some of the TMAGAC approved copy was used by them. Did I get that right or?

7 Mr. Zambrano. Yeah, I was aware of TMAGAC email. I don't know if it was -- I  
8 don't know if I specifically knew warmup associated with it or anything.

9 BY MS. [REDACTED]

10 Q Do you mean that you thought that they were kind of like an email broker,  
11 like, Oh, we're bringing on another vendor like a Salesforce to send emails? I'm just  
12 trying to figure out what you mean by -- I'm aware of them --

13 A I wouldn't classify Salesforce as an email broker.

14 Q Oh, don't get me wrong. I could completely be wrong.

15 A You know, what I would say is like a data firm that has the ability to send  
16 emails. So I don't know if I had given DataPier a lot of thought during this timeframe.

17 Q Did you give it thought after this timeframe?

18 A Like over the past year or so?

19 Q The way that you worded that: I didn't give DataPier a lot of thought  
20 during that timeframe, suggests like maybe there was a different time by where you had  
21 reason to know about DataPier. Like, after the fact, it was told to mean that I didn't  
22 realize they were relevant until X period?

23 A No, I haven't heard DataPier really until now from around that post-election  
24 time. I don't know what is going on with that company. I don't think I have really done  
25 anything, including it since I have left the RNC.

1           Q     Do you remember Austin coming to you and talking with you about emails  
2     being given to DataPier?

3           A     I don't recall specific conversations around it. I mean, if TMAGAC emails  
4     were going to them, it probably got signed off by -- I wouldn't have given -- I doubt I  
5     would have given the okay. I may have, but I may have had to bring it up to senior RNC  
6     people. I don't know who I might have flagged it for.

7           Q     When you say I doubt I would have given the approval, what do you mean by  
8     that? Why won't you have given approval?

9           A     I don't know if I had the ability to give approval to start this program, unless  
10    it was already started or something. I don't --

11          Q     What program, I'm sorry, I'm getting confused. Wait.

12          A     But you're talking about the warmup of data. I don't recall being involved  
13    in that. I may have had conversation with Austin. I don't recall.

14          Q     Okay. I guess what I'm trying to figure out is it's entirely possible that  
15    people did things without you that you had no knowledge of. And you may have heard  
16    about it after the fact. If that's the case, that's very helpful for us to know that, yes,  
17    something happened. It happened without me or my participation. And I came to  
18    know that it happened after the fact, after I had been excluded from the discussion.  
19    That's very different than saying I don't recall, or I didn't have a role in that, right?  
20    Because, again, I didn't have a role in that. It suggests that you had no idea what  
21    happened. It's very important for us to kind of delineate those if that's what's  
22    happening here.

23          So it would be very helpful for us to understand, at some point in time, prior to us  
24    asking about it today, did you have a point to come to be aware of DataPier and what it  
25    was doing with warming up IP addresses?

1           A     Before today, yes, I was aware of that. I don't remember my role, if any, in  
2     that. I remember hearing -- I am trying to remember from who, but I remember Alex  
3     Cannon talking about IP problems -- IPs and warmups.

4           Q     And do you remember if you were having a conversation with Mr. Cannon,  
5     or do you remember being present for a conversation that Mr. Cannon was having with  
6     others, was it a group meeting? Just to the extent that you can remember sitting there,  
7     what was the conversation with Mr. Cannon about?

8           A     I don't believe it was a one-on-one conversation with me and Alex Cannon.  
9     I may have been in someone's office. I am trying to remember, again.

10          Mr. Steggerda. But is your best recollection that the source of your  
11     understanding, before today, about what that company did was from Alex Cannon? Is  
12     that your best recollection?

13          Mr. Zambrano. I don't remember direct from Alex Cannon. Yet, I don't  
14     remember asking, sitting me down and telling me what DataPier was.

15          BY MS. [REDACTED]:

16          Q     The way that you're saying it, is it possible that somebody else told you  
17     something that Alex Cannon was doing with DataPier and IP warmups?

18          A     Yes. I'm trying to remember the conversations I had about it, or where I  
19     was that I might have -- it might have been a phone call in an office I was in. But, yes,  
20     that is more along the lines.

21          Q     And sitting here right now, I don't want to you necessarily worry about the  
22     people involved, but sitting here right now, do you ever remember anybody at the RNC,  
23     presumably the higher levels of the RNC, showing or evidencing any concern, or  
24     discussing DataPier and what it was doing with the IP warmups?

25          A     I'm trying to remember it like -- I can't say that I didn't maybe flag it for

1       Richard. If I had known that, Hey, overheard this, or something. I don't know what  
2       time came of that. I don't know if we had a full discussion on it. But I can't recall that I  
3       didn't not have a -- like or maybe didn't flag it for Richard, but I might have.

4           Mr. Steggerda. Do you have a vague recollection that you may have flagged that  
5       for Richard?

6           Mr. Zambrano. It seems like something I would have. Like, I don't remember  
7       the specifics about it.

8           BY MS. [REDACTED]:

9           Q     And that's fair. Given your clear -- I'm going to say expertise/knowledge  
10       because it does seem like you do know a lot about it -- when you say you would have  
11       flagged it with Richard, understanding it was long time ago and you may not remember  
12       the exact contents of the conversation?

13          Mr. Steggerda. Or that he did flag it at all.

14           BY MS. [REDACTED]:

15          Q     Or that he did flag it.

16          But if you had flagged it, what is the flag? Can you characterize what your  
17       concern would have been -- and maybe concern isn't the right word, but describe, like,  
18       the flag, for lack of a better word.

19          A     I guess, I don't know back if it was a concern. It might have just been FYI,  
20       This is kind of commonplace. It might have been a little bit -- if there was, it might have  
21       just been, Hey, FYI, this is happening. And, again, I don't know if this was a case he  
22       might have asked if -- like, is this normal, or is this common? And I probably would have  
23       said, Yes, like when I said to you this is not unheard of. So I don't know if I -- if that -- I  
24       am trying to remember the specifics around it, I can't, but it seemed likely that that would  
25       have been flagged two higher ups at the RNC, including Richard, or flagged to a higher up.

1           Q     To the best of -- oh, I'm sorry, I didn't mean to cut you off at the end  
2 there -- but to the best of your knowledge, if you had had these conversations with  
3 Richard, and he had a limited knowledge of IPs and warmups, et cetera, if he had  
4 follow-up questions about the ramifications of that, is there anybody you can think of  
5 other than you who had the knowledge of the IP -- like how IP warmups work? That  
6 seems something very specific to digital fundraising?

7           A     Uh-huh.

8           Q     Is there anyone other than you that he could have gone to talk to?

9           A     Yes, there are other people in the industry. I don't know who he would  
10 have talked to.

11          Q     I'm so sorry. I did not mean to get overly broad. I'm not asking you to  
12 speculate all the people in the industry. I'm just meant within the RNC now, if you  
13 wanted to talk with somebody else for work, was there somebody other than you that it  
14 made sense for him to go to?

15          A     I don't know if it would be direct RNC staff, but I do think he could probably  
16 talk to Gary Coby about it, who was a vendor of the RNC.

17          Q     Got it. And sitting here today, do you remember any follow-up  
18 conversations, if you had that initial conversation, but do you remember it ever being an  
19 issue, if there was a conversation more than that conversation, in terms of concerns or  
20 questions or anything that senior staff at the RNC might have raised?

21          A     I don't remember.

22          Q     Okay. And I know it was a while ago, so I appreciate it.

23          Mr. ██████████. All right. We have reached the end here. So we will go  
24 into recess subject to the call of the chair.

25          [Whereupon, at 3:19 p.m., the interview was recessed, subject to the call of the

1 Chair.

**Certificate of Deponent/Interviewee**

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5 I have read the foregoing \_\_\_\_ pages, which contain the correct transcript of the  
6 answers made by me to the questions therein recorded.

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